

# Comhairle Chontae Atha Cliath Theas

**PR/0523/23**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SDZ22A/0017      **Application Date:** 02-Dec-2022

**Submission Type:** Additional Information      **Registration Date:** 19-Apr-2023

**Correspondence Name and Address:** Rory Kunz, John Spain Associates 39, Fitzwilliam Place, Dublin 2

**Proposed Development:** Construction of 157 dwellings within the Clonburris South-West Development Area of the Clonburris Strategic Development Zone (SDZ) Planning Scheme 2019 consisting of, 81 houses comprising of 4 two bedroom houses, 65 three bedroom houses and 12 four bedroom houses (all two storey with associated private open space and car parking; 76 apartment units consisting of 26 one bedroom and 50 two bedroom units within Block 1 (4 storeys); Vehicular access will be provided from the permitted street under SDZ21A/0022 and the permitted Clonburris Southern Link Street (SDZ20A/0021) and R113 (Fonthill Road) to the east; All ancillary site development works including footpaths, landscaping boundary treatments, public and private open space areas, car parking (170 spaces) and bicycle parking (170 spaces), single storey ESB sub-stations, bin and bicycle stores and all ancillary site development/construction works all on wider lands bounded generally by the Dublin-Cork railway line to the north, undeveloped lands and Grand Canal to the south and undeveloped lands and the Fonthill Road (R113) to the east, in accordance with the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015.

**Location:** Within the townland of Cappagh, Clonburris, Dublin 22

**Applicant Name:** Cairn Homes Properties Limited

**Application Type:** SDZ Application - Clonburris

(SW)

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### **Description of Site and Surroundings:**

Site Area: stated as 3.45ha.

#### Site Description:

The subject site is located in the south-eastern section of Clonburriss SDZ (Strategic Development Zone) and forms a section of the Clonburriss Character Area within the Clonburriss SDZ. The subject site is located in the south-western section of the Clonburriss element of the SDZ lands, within development area CSWS-3.

The application site consists of an undeveloped, greenfield site, which is situated to the north of the Grand Canal and to the west of the Fonthill Road (R113) and immediately south of the railway line. The site is located approximately 300m from Clondalkin Train Station, 500m from Bawnogue Neighbourhood centre and approximately 1km from Clondalkin Centre.

The existing layout plan indicates varying topography across the site. Levels generally range from 59 to 61 AOD. There is a hedgerow running through the site.

Planning Ref SDZ21A/0011 abuts the site to the south, this previously granted permission for a mix of uses, local road network and open spaces.

### **Proposal:**

The proposed development consists of:

- **Construction of 157 dwellings** within the Clonburriss South-West Development Area of the Clonburriss Strategic Development Zone (SDZ) Planning Scheme 2019
  - consisting of 81 houses comprising of 4 two bedroom houses, 65 three bedroom houses and 12 four bedroom houses (all two storey with associated private open space and car parking);
  - 76 apartment units consisting of 26 one bedroom and 50 two bedroom units within Block 1 (4 storeys);
- Vehicular access will be provided from the permitted street under SDZ21A/0022 and the permitted Clonburriss Southern Link Street (SDZ20A/0021) and R113 (Fonthill Road) to the east;
- All ancillary site development works including footpaths, landscaping boundary treatments, public and private open space areas, car parking (170 spaces) and bicycle parking (170 spaces), single storey ESB sub-stations, bin and bicycle stores and all ancillary site development/construction works.
- all on wider lands bounded generally by the Dublin-Cork railway line to the north, undeveloped lands and Grand Canal to the south and undeveloped lands and the Fonthill Road (R113) to the east, in accordance with the Clonburriss Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015.

### SEA Screening

Overlaps with Record of Monuments and Places 017-036

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### **Zoning:**

This site is situated within Clonburris SDZ Planning Scheme lands and is subject to zoning objective 'SDZ' 'To provide for Strategic Development in accordance with approved planning schemes' under the South Dublin County Council Development Plan 2022-2028.

### CDP Maps:

- Notification Zone - R149511. Related SMR - 1 SMR(s): - DU017-036
- Bird Hazards
- Inner Horizontal Surface (Casement)
- Outer Horizontal Surface (Dublin)

### **Consultations:**

*Roads – Additional information requested.*

*Water Services – No objections, subject to conditions.*

*Irish Water – No objections, subject to conditions.*

*Heritage – no report received at time or writing.*

*Parks – Additional information requested.*

*Forward Planning – no report received at time or writing.*

*Housing – Additional information requested.*

*EHO – No objections, subject to conditions.*

*TII – no observations*

*NTA – no report received at time or writing.*

*IAA – no observations*

*IFI – no report received at time or writing.*

*Department of Housing, Local Government & Heritage – Additional information requested.*

### **Submissions/Observations /Representations**

None.

### **Recent Relevant Planning History**

The site is located within the Clonburris Strategic Development Zone for which a Planning Scheme was prepared by South Dublin County Council and approved by An Bord Pleanála.

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### *Application Site*

SDZ21A/0022 The construction of 569 dwellings, a creche, innovation hub and open space in the Clonburris South West Development Area of the Clonburris SDZ Planning Scheme 2019 as follows: 173 houses comprising 8 two bedroom houses, 153 three bedroom houses and 12 four bedroom houses (147 dwellings in CSW-S4 consisting of 8 two bedroom houses, 127 three bedroom houses & 12 four bedroom houses & 26 three bedroom dwellings in CSW-S3}, all 2 storey comprising semi-detached, terraced, end terrace units (with parking and private open space); (B) 148 duplex apartments/apartments (88 in CSW-S4 & 60 in CSW-S3) comprising 74 two bedroom units and 74 three bedroom units, in 16 three storey buildings. In CSW-S4 Duplex Blocks A,B,C,D,E,F,G,J,K, comprise 8 units (4 two bed & 4 three bed units), Duplex Block H comprises 16 units (8 two bed & 8 three bed units), In CSW-S3 Blocks L, N & O comprise 8 units (4 two bed & 4 three bed units), Block M comprises 14 units (7 two bed & 7 three bed units), Block P comprises 10 units (5 two bed & 5 three bed units), Block Q comprises 12 units (6 two bed & 6 three bed units), all to have terraces/pitched roof; (C) 396 apartments as follows: within CSW-S4, Block 1 consists of 172 apartments (76 one bedroom, 91 two bedroom and 5 three bedroom apartments), in a 2-building arrangement both 6 storeys in height. Within CSW-S3, Block 2 (4 storeys) comprises 16 one bedroom apartments and 22 two bedroom apartments, Block 3 (4 storeys) comprises 16 one bedroom apartments and 22 two bedroom apartments (all apartments to have terrace or balcony); (D) Provision of an innovation hub (626sq.m) and creche (c. 547sq.m) in a part 3/4 storey 'local node' building in CSWS4; (E) Vehicular access will be from the permitted Clonburris Southern Link Street (SDZ20A/0021) and R113 to the east {along with provision of internal haul routes {for construction} to connect to the R136 to the west); (F) Public Open Space/landscaping of c. 4.1 hectares (to include Local Park and MUGA in CSW-S3, Grand Canal Park, along the southern and eastern boundaries of the site to connect to existing Grand Canal towpath) as well as a series of communal open spaces to serve apartments and duplex units (c. 0.39 ha); (G) all ancillary development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (656 spaces) and bicycle parking (672 spaces), single storey ESB substations/bike/bin stores, 'Gateway' entrance signage (2), solar panels at roof level of apartments, and all ancillary site development/construction works; (H) Permission is also sought for revisions to attenuation permitted under SDZ20A/0021 as well as connection to water supply, and provision of foul drainage infrastructure; this application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015; an Environmental Impact Assessment Report accompanies this planning application; the application applies for 7-year planning permission for development at this site of c. 17 .02 hectares (on two parcels of land to include entrance area) within the townlands of Cappagh, Clonburris Little & Kishoge, Co. Dublin all on wider lands bounded generally by undeveloped lands and the Dublin-Cork railway line to the north, undeveloped lands and the Grand Canal to the south, the R113 {Fonthill Road} to the east and the R136 to the west.

Decision: Permission Granted, subject to conditions

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Note: only a small element of access road lies within the site boundary.

SDZ20A/0021 Planning Permission granted for roads and drainage infrastructure works as approved under the Clonburris Strategic Development Zone Planning Scheme (2019) to form part of the public roads and drainage networks.

Decision: Permission Granted, subject to conditions.

Note: part of the road to the future railway crossing permitted as part of the above, however, bridge design not finalised / permitted as part of the above.

### *Adjacent sites:*

SDZ22A/0018 Construction of a mixed-use development comprising 594 apartments, office floorspace, 4 retail units, a creche and urban square in the Clonburris Development Areas CUCS3 & CSWS3 of the Clonburris SDZ Planning Scheme 2019 as follows, 594 apartments (255 one bedroom apartments, 307 two bedroom apartments and 32 three bedroom apartments (all apartments to have terrace or balcony; ancillary communal amenity spaces for residents) as follows; Block A (4 and 6 storeys with undercroft) comprises 96 apartments consisting of 36 one bedroom apartments, 48 two bedroom apartments and 12 three bedroom apartments (with creche c. 609sq. m at ground and first floor as well as play area; Block B (6 storeys with undercroft) comprises 77 apartments consisting of 44 one bedroom apartments, 28 two room apartments and 5 three bedroom apartments; Block D (5 and 7 storeys with undercroft) comprises 71 apartments consisting of 39 one bedroom apartments and 32 two bedroom apartments; Block E (6 storeys with undercroft) comprises 100 apartments consisting of 47 one bedroom apartments, 48 two bedroom apartments and 5 three bedroom apartments; Block F (5 and 7 storeys with undercroft) comprises 124 apartments consisting of 57 one bedroom apartments, 61 two bedroom apartments and 6 three bedroom apartments; Block G (1, 2 and 4 storeys with undercroft) comprises 65 apartments consisting of 16 one bedroom apartments, 45 two bedroom apartments and 4 three bedroom apartments; Block H (4 storeys with undercroft) comprises 61 apartments consisting of 16 one bedroom apartments and 45 two bedroom apartments; Mixed use development comprising, commercial office development in Block C of 6 storeys with parapet above to 7 storey equivalent on elevations (c. 4,516sq.m), 1 retail unit at ground floor of Block B (c.147.5sq. m) and 3 retail units at ground floor of Block E as follows (c.106.2sq.m, c.141.6sq.m and c.492.2sq.m respectively) as well as a creche (c. 609sq. m) at ground floor and first floor of Block A; Vehicular access will be from the permitted Clonburris Southern Link Street (SDZ20A/0021) and R 113 to the east; Public Open Space/landscaping of c. 0.52 hectares (urban square) and linear open space (0.72 hectares) as well as a series of communal open spaces to serve apartments over undercroft level (and internal communal open space c. 685 sq.m;

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The development will also provide for all associated works and infrastructure to facilitate the development to include all ancillary site development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (396 no. spaces in a mixture of undercroft spaces Block A, Block B&D and Block E&F) and bicycle parking (1,232 spaces at undercroft and surface levels), single storey ESB substations/bike/bin stores, green roofs, solar panels at roof level of apartments, plant areas within blocks and all ancillary site development/construction works; Permission is also sought for connection to water supply, and provision of foul drainage infrastructure.

This application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Planning Scheme Area ' as defined by Statutory Instrument No. 604 of 2015; An Environmental Impact Assessment Report accompanies this planning application.

Decision: Currently under consideration

### *Wider SDZ:*

SDZ22A/0013 Install a new LPG Safety Installation in a caged enclosure 1.8m x 1.2m x 1.2m (LxWxH) servicing the existing LPG storage installation with all ancillary services and associated site works situated within the Clonburris SDZ (Strategic Development Zone) area.

Decision: Permission Granted, subject to conditions.

SDZ22A/0011 The proposed primary school will extend to c3,355sq.m will be 2 storeys in height and will comprise 16 no. classrooms with an additional 2 classroom Special Educational Needs Unit; a General Purpose Hall and all ancillary teacher and pupil amenities and facilities. The proposed development also provides for hard and soft play areas, including 2 no. outdoor ball courts, bicycle parking, staff car parking, vehicle drop off and set down areas. Photovoltaic Panels (PV) are proposed on roofs in addition to EV Charging Points and a packaged Biomass heating plant. The proposed development also provides for all landscaping and boundary treatments and all associated site development works. Access to the site will be via a new junction and access road off Thomas Omer Way. The new access road will run south off Thomas Omer Way and then west into the site. The proposed access road is in accordance with the Clonburris Strategic Development Zone (SDZ) Planning Scheme and incorporates public lighting, footpaths and cycle tracks. A further pedestrian / cycle only connection to Thomas Omer Way is also proposed along the western green corridor, west of the proposed school building.

Decision: Request Additional Information

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SDZ22A/0010 Kelland Homes Ltd. intends to apply for permission for development on a site area of 6.3Ha, on lands within the townland of Cappagh, Dublin 22. The proposed development is located west of the Ninth Lock Road, south of the Dublin-Cork railway line, north of Cappaghmore housing estate and Whitton Avenue, and east of an existing carpark / park & ride facility at the Clondalkin Fonthill train station and the R113 (Fonthill Road). The proposed development is located within the Clonburris Strategic Development Zone (SDZ), within the development areas of (i) Clonburris South East (i.e., CSE-S1 & CSE-S2) and (ii) part of Clonburris Urban Centre (i.e., CUC-54), as identified in the Clonburris SDZ Planning Scheme 2019. The proposed development consists of the construction of 294 no. dwellings, creche and retail / commercial unit, which are comprised of: 118 no. 2, 3 & 4 bed, 2 storey semi-detached and terraced houses, 104 no. 2 & 3 bfd duplex units accommodated in 10 no. 3 storey buildings, 72 no. 1 & 2 bedroom apartments in 2 no. 4 & 6 storey buildings, 1 no. 2 storey creche (c.520.2m<sup>2</sup>), 1 no. 2 storey retail /commercial unit (c.152.1m<sup>2</sup>). Access to the development will be via the permitted road network (under Ref. SDZ20A/0021) which provides access from the Ninth Lock Road to the east and the R113 (Fonthill Road) to the west. The proposed development will connect into the permitted Infrastructural works as approved under the Clonburris Strategic Development Zone Planning Scheme (2019) and permitted under Ref. SDZ20A/0021, with the proposed development connecting into the permitted surface water drainage attenuation systems i.e., 1 no. pond, 3 no. modular underground storage systems and 1 no. detention basin combined with modular underground systems. The proposed wastewater infrastructure will connect into a permitted foul pumping station and pipe network within proposed road corridors to facilitate drainage connections to future wastewater drainage infrastructure within the adjoining SOZ lands (Including future Irish Water pumping station permitted under SDZ21A/0006). The proposed development also provides for all associated site development works above and below ground, public & communal open spaces, hard & soft landscaping and boundary treatments, surface car parking (401 no. spaces), bicycle parking (797 no. spaces), bin & bicycle storage, public lighting, plant (M&E), utility services & 4 no. ESB sub-stations. This application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015.

Decision: Request Clarification of Additional Information

SDZ201/0006 Wastewater pumping station comprising of (a) below ground 24-hour emergency storage tank; (b) below ground inlet, wet well, flow meter and valve chambers; (c) control and welfare building with green roof and 2 odour control units; (d) boundary wall, fencing, entrance gate and landscaping; (e) site drainage system including a swale; (f) all associated ancillary and enabling works including hardstanding and access, located within the Clonburris Strategic Development Zone. Decision: Permission Granted, subject to conditions.

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SDZ22A/0004 Internal separation of the house and associated granny flat to provide for 2 permanent houses and extension of rear garden. Part of the development site is located within the Clonburris Strategic Development Zone.

Decision: Permission Granted, subject to conditions.

SDZ14A/0002 Removal of shed structure and construction of 2 detached part 2 and part 3 storey dwellings and 8 semi-detached part 2 and part 3 storey dwellings; 20 car parking spaces; new vehicular entrance to Ninth Lock Road and associated works including new footpaths and landscaping of site. The site is located within the Clonburris Strategic Development Zone

Decision: Permission Granted, subject to conditions.

### *SDCC Part 8 Applications*

Proposed Social and Affordable housing development comprising of 263 no. residential units on a site located on lands within Clonburris SDZ, in the subsector known as Kishogue South West which is located on Lynches Lane to the East of the R136 Outer Ring Road. **Approved.**

Development of a Social and Affordable Purchase Housing project consisting of 118 (approved as 116) no. units on undeveloped lands adjoining the Bawnogue Road and Ashwood Drive, Clonburris, Dublin, just South of the Grand Canal. **Approved.**

### **Recent Relevant Enforcement History**

None recorded.

### **Pre-Planning Consultation**

Pre planning carried out for the proposed development.

PPSDZ02/22 Construction of 281 dwellings comprising 79 2 store houses; 202 apartments in 2 blocks (4 storeys) carparking (290), cycle spaces (304) public and private open spaces, communal open space (2,137 sq. m) roads, cycle and pedestrian linkages, attenuation and all site development works on a site of 4.72 hectares.

### **Relevant National Policy**

The relevant policy documents are detailed below. Those identified as being of key significance include 'Project Ireland 2040 National Planning Framework' (NPF) and 'Regional, Spatial & Economic Strategy 2019 – 2031' (RSES).

*Project Ireland 2040 National Planning Framework,*

*Regional, Spatial & Economic Strategy 2019 - 2031,* Eastern & Midlands Regional Assembly, 2019.



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### **Additional National Policy Documents of Relevance**

*Urban Design Manual: A Best Practice Guide*, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

*Quality Housing for Sustainable Communities-Best Practice Guidelines*, Department of the Environment, Heritage and Local Government, (2007).

*Greater Dublin Area Transport Strategy 2016 -2035*, National Transport Authority

*Design Manual for Urban Roads and Streets (DMURS)* Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2019)

*Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020*, Department of Transport, (2009).

*National Cycle Manual – National Transport Authority (June 2011).*

*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*,

Department of the Environment, Heritage and Local Government, (2009).

*The Planning System and Flood Risk Management - Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government & OPW, (2009).

*Planning & Development of Large-Scale Rail focused Areas in Dublin- National Transport Authority (May 2013).*

### **Relevant Policy in South Dublin County Development Plan 2022-2028**

*2 Core Strategy and Settlement Strategy*

*2.6.1 Land Capacity Study*

*Table 8: Total Land Capacity within Strategic Development Areas Policy CSI: Strategic Development Areas*

*Table 9: Capacity of undeveloped lands within South Dublin*

*Table 10: Indicative Capacity of Additional Zoned Lands in the South Dublin County Development Plan 2022-2028*

*Land Capacity Sites*

*Figure 9: Housing Capacity Sites*

*2.6.5 Core Strategy – 2022-2028 Development Plan Table 11: Core Strategy Table 2022-2028*

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### *2.6.6 Housing Strategy*

### *2.7 Settlement Strategy*

*Table 14: RSES Settlement Hierarchy relating to South Dublin County Council*

*2.7.1 Dublin City and Suburbs - Key Urban Centres within Dublin City and Suburbs - Strategic Development Zones (SDZ)*

*Policy CS6: Settlement Strategy - Strategic Planning Principles*

*Policy CS7: Consolidation Areas within the Dublin City and Suburbs Settlement*

*Promote the consolidation and sustainable intensification of development within the Dublin City and Suburbs settlement boundary.*

*CS7 Objective 4: To promote and facilitate development at the Strategic Development Zones at Adamstown and Clonburris, in accordance with their planning scheme and associated phasing requirements, whilst adapting to and facilitating emerging transport service level pattern needs.*

*5 Quality Design and Healthy Placemaking Policy QDP13: Plans / Frameworks – General Continue to work closely with all infrastructure providers to ensure the timely delivery of social, community, economic and sustainable transportation infrastructure in tandem with new residential development and in accordance with the provisions of the County Development Plan or any Local Area Plan, SDZ Planning Scheme, other strategic land designations or framework / masterplan in place in the area.*

### *5.4.2 Strategic Development Zones*

*Policy QDP15: Strategic Development Zones (SDZS)*

*Continue to implement the approved Planning Schemes for Adamstown and Clonburris SDZs. QDP15 Objective 1:*

*To support the delivery of the identified infrastructure to facilitate sustainable development in South Dublin's Strategic Development Zones.*

### *7 Sustainable Movement*

*Table 7.5 Six Year Road Programme - Clonburris / Kishogue Street Network - Various streets within the Clonburris SDZ lands. - Formation of a strategic street network providing access throughout the Clonburris SDZ lands.*

### *8 Community Infrastructure and Open Space*

*Policy COS2: Social / Community Infrastructure*

### *9 Economic Development and Employment*

*Table 9.1: Retail Hierarchy for the Region – South Dublin County - Level 3 - Clonburris - Neighbourhood Centres, Local Centres-Small Towns and Villages*

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*These centres usually contain one supermarket ranging in size from 1,000- 2,500 sq.m with a limited range of supporting shops and retail services and possibly other services such as post offices, community centres or health clinics grouped together to create a focus for the local population. These centres meet the local day-to day needs of surrounding residents.*

*Table 9.2: Settlement Hierarchy and Retail Hierarchy Clonburris District Centre Level 3*

*Policy EDE12 – District Centres*

*EDE12 Objective 3: To support and facilitate the development of new District Centres of an appropriate urban scale at Adamstown and Clonburris in accordance with approved Planning Schemes having regard to the need to provide a sustainable retail mix that facilitates walking, cycling and use of public transport and reduces car journeys outside the SDZ for many retail needs.*

*Energy*

*Policy E5: Low Carbon District Heating Networks*

### **Clonburris SDZ Scheme, 2019**

The Clonburris Strategic Development Zone (SDZ) Planning Scheme represents a shared outlook for the future residential, social, economic and environmental development of a new planned and sustainable community in South Dublin County.

The Planning Scheme 2019 shall be used by the planning authority to assess planning applications in the SDZ. Planning Applications within the SDZ boundary shall be consistent with the Planning Scheme. The Planning Scheme form part for the Development Plan and any contrary provisions of the Development Plan are superseded by the Planning Scheme.

In a period of renewed growth in Ireland, the County is in a strong position to increase its share of residential and economic development within the Dublin Region. The development of the entire Planning Scheme is expected to deliver a target of 9,416, new homes, a minimum of 7,300sq.m gross community floorspace, approximately 22,520sq.m gross retail floorspace and in the range of 30,000 to 40,000sq.m employment floorspace.

Clonburris comprises 12 Development Areas, with the proposed development located entirely within Development Area 3 Clonburris South West (CSW-S3).

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The key overarching principles of the 2019 Planning Scheme include the following:

- To prioritise the delivery of high quality services, utilities infrastructure, and sustainable urban surface water drainage;
- To ensure that the phasing and implementation of the SDZ occurs at a pace whereby it is supported by all necessary supporting community facilities, services, infrastructure and amenities, in order to ensure that place making is prioritised.
- To provide attractive, interesting and well used outdoor spaces using the latest place making and urban design principles, creating a pedestrian-centred environment with active, inviting public space, parks and private gardens.

The application is assessed in accordance with the criteria set out in Development Area 3. The Planning Scheme also comprises a Planning Framework which includes 12 Sections (Sections 2.1 – 2.12). These are set out below with the proposal appropriately assessed against each of them.

### **Assessment**

The application is assessed in accordance with the criteria set out in Development Area 3. The Planning Scheme also comprises a Planning Framework which includes 12 Sections (Sections 2.1 – 2.12). These are set out below with the proposal appropriately assessed against each of them.

The Clonburris Strategic Development Zone (SDZ) Planning Scheme 2019 is the principal Planning document for the SDZ. The Planning Scheme is the approved framework for the guidance of development in Clonburris, against which all planning applications must be assessed. Section 170 of the Planning and Development Act states that proposed development must be consistent with the Planning Scheme.

The assessment is set out under the following main headings:

- 1. Zoning and Council Policy**
- 1. Phasing**
- 2. Development Area 3: Clonburris South West**
- 3. Consistency with the Planning Scheme:**
  - Land Use and Density
  - Movement and Transport
  - Green and Blue Infrastructure
  - Retail, Economic & Community Facilities and Public Services
  - Built form and Design.
  - Services, Infrastructure and Energy Framework
  - Landscape and Open Space
  - Biodiversity and Natural Heritage

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- Archaeological and Architectural Heritage
- Other

### 5. Environment Impact Assessment

### 6. Appropriate Assessment Screening

#### 1. Zoning and Council Policy

The site is situated in an area which is zoned 'SDZ' *'To provide for Strategic Development in accordance with the approved Planning Schemes'* under the South Dublin County Council Development Plan 2022-2028. The principle of the construction of residential units on this portion of the SDZ lands is consistent with the Clonburris SDZ Planning Scheme.

The proposal represents the second planning application within CSW-S3.

#### 1. Phasing

The Planning Scheme includes a Phasing Programme in Section 4. The Phasing Table of the Planning Scheme is an element of the Phasing Approach and details a schedule and programme to plan and deliver strategic infrastructure and amenities on a phased basis in tandem with the development of residential units.

The plans and strategies required prior to commencement have been agreed and will be considered as part of the assessment of this proposal.

There are a number of applications and part 8 permissions that have been granted or are currently ongoing. These are as follows:

Ref.	Development Area	Catchment	No. of units	Status
SDZ21A/0022	Clonburris South West	Clonburris	563 (as permitted)	Granted permission
SDCC Part 8 application	Kishogue South West	Kishogue	263	Approved 2022
SDCC Part 8 application	Canal Extension	Clonburris	118	Approved 2022
SDZ22A/0010	Clonburris Urban Centre and South East	Clonburris	294	Under consideration

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SDZ22A/0018	Clonburris Urban Centre and South West	Clonburris	594	Under consideration
<b>Total</b>	<b>Approved total</b>	<b>Under consideration total</b>	<b>Overall total</b>	
Clonburris	681	1,045	1,726	
Kishogue	263	0	263	
	944	1,045	1,989	

The total number of units consented, should the subject application be granted/approved, would equate to over 1,000 units, but less than 2000.

The phasing programme is based on the premise that the number of residential units that may be constructed and occupied in each phase is dependent on the delivery of associated infrastructure to serve the expanding population. In the event that the requirements are not delivered for a particular phase, a restriction on the construction and occupation of residential units in the next phase will apply.

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In accordance with Section 4.6 of the Scheme, “*The Planning Scheme does not specify a commencement location for the construction of residential units for any phase of residential development. The location for commencing development in the Planning Scheme and within Development Areas is flexible. However, apart from exceptional circumstances, when development commences in a Development Area, subsequent permissions and development in the subject Development Area shall be required to integrate with the previous development in a sequential way*”.

SDZ21A/0022 provided for 563 units in CSW, the current application provides for 157. SDZ22A/0018 provides for 126 units in CSW. The total in CSW would be 846.

Phase	Residential Units constructed and occupied	Minimum delivery in Phase	Response
	<b>Prior to commencement of development</b>	Surface Water Management Plan Parks and Landscape Strategy (incorporating a Biodiversity Management Plan Water and Wastewater plans	These plans and strategies have been agreed and will be considered as part of the assessment of this planning proposal.
<b>1A</b>	<b>0 – 1,000</b>	- <u>Retail Core development</u> in accordance with the Place Making Requirements. -Development shall accord with the Local Level Infrastructure Requirements in relation to agreeing timeline for the opening of <u>Kishogue Train Station &amp; completion of the realignment of Lock Road (R120)</u> . -Provision of <u>Water and Wastewater infrastructure on a pro rata basis</u> in accordance with detailed plans agreed with Irish Water and SDCC. - <u>The planning of works for the provision of community floor space and the availability of childcare spaces.</u>	(applicant’s response) - Retail core will be developed in separate applications - Not applicable to subject application. - Noted - Creche and community employment space provided in another application.

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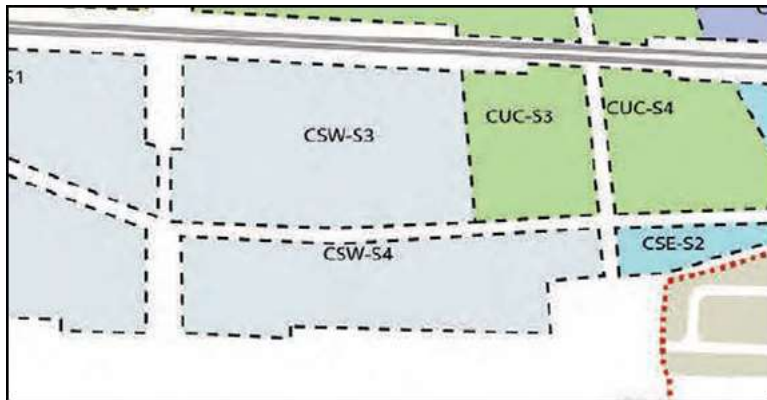
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The applicant has summarised the phasing requirements applicable up to Phase 1A 0-1,000 units. There are a total of 1,995 units either granted permission or included in planning applications currently under consideration. If all of these units were granted, constructed and occupied, they would take up the vast majority of the phasing allowance up to 2,000 units when the Phase 1B (1,001-2,000 units) requirements must be complied with. The applicant is requested to provide details on Phase 1B as **additional information**.

### **2. Development Area 3: Clonburris South West**

Section 2.13 of the Planning Scheme sets out a summary of the overall proposal for development. The application site is located within Clonburris South West Character Area CSW-S3 (The South West Character Area has 4 subsections). Planning Permission has been granted for an element of CSW-S3 under SDZ21A/0022 and it is proposed to deliver the remainder under the current application and also the concurrent application SDZ22A/0018.



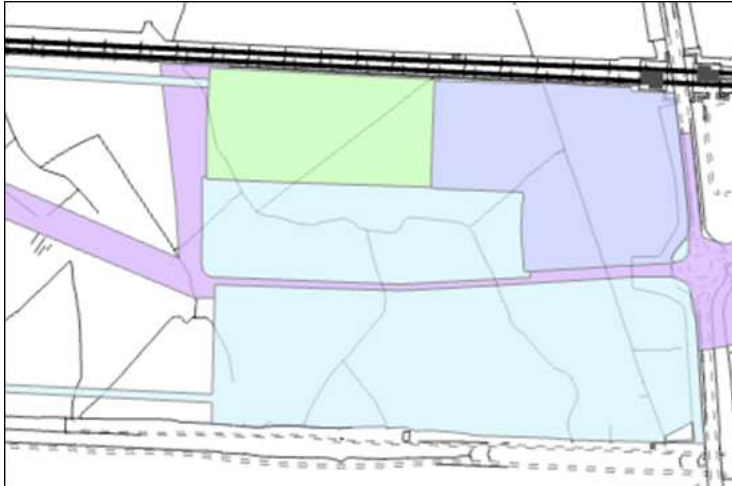
*Extract from Figure 2.13.3: Development Areas in Clonburris and Sub Sectors*



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Plan indicating the current application (green), in context of SDZ20A/0021 (purple), SDZ21A/0022 (light blue), SDZ22A/0018 (dark blue)

Section 3.2 of the Planning Scheme states, in relation to the overall character area:

*“The Clonburris Character Area will comprise clustering of residential, retail and commercial uses to form a centre located around the Clondalkin- Fonthill Railway Station. The centre will comprise medium to high density development located close to the public transport hub of heavy rail and planned Core Orbital bus services. Civic and community uses will also locate at the Clonburris centre and will contribute to the creation of an active and busy centre organised around a high quality designed Urban Square at its retail core. Development will transition outwards from the centre to medium and lower density residential development with local nodes, community floorspace, schools and high quality open spaces. Development will benefit from park and canal frontage to the south and west.”*

The subject application proposes 157 units in the subject area which forms part of the overall Clonburris Character Area. The scheme targets 4,894 units for the Character Area across 6 Development Areas. The quantum of development for the subsections relevant to this proposal are summarised in Table 2.13.1 in the Planning Scheme and the relevant figures are included in the below.

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	Net Area (ha)	Average Net Density – Low Margin (-5 DPH)	Average Net Density – High Margin (+5 DPH)	Total Dwellings (Low Margin)	Total dwellings (Target)	Total Dwellings (High Margin)	Retail GFA (sqm) (Max)	Employment GFA (sqm) (Min)	Community / Civic Building GFA (sqm) (Min)	Local Parks and Squares (sqm) (Min)	Schools (existing / proposed)
CSW-S3	8.27	51	61	422	461	504				14,300	

*Extract from Table 2.13.1 Summary of Planning Scheme Tables*

Table 3.3.3 (below) sets out the development parameters for development, located within Sub-sector CSW-S3.

*Table 3.3.3 Clonburris South West*

In terms of compliance with the above table, the proposal submitted is assessed as follows:

*Area character type*

The proposal provides for houses and apartments, with density stated as 51.9dph.

A mix of uses was provided for under SDZ21A/0022. There is no requirement for uses other than residential to be provided within subsector S3.

*Net development area – 25.98 ha*

No detail was provided. The applicant is requested to detail how the total net development area for CSW-S3 is met through applications SDZ21A/0022, SDZ22A/0017 and SDZ22A/0018.

**Additional information is requested.**

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<b>Area character type</b>	Mixed development area with medium density residential development and will contain local community facilities, including a primary and post primary school and small scale retail and commercial uses.	
<b>Net development area</b>	25.98ha	
<b>No of units (Target)</b>	1,441	
<b>Net Density</b>	<b>Sub Sector</b>	<b>Density Range</b>
	CSW-S1	45-55
	CSW-S2	45-55
	CSW-S3	51-61
	CSW-S4	59-69
	<i>* See also Table 2.1.5 for full range of density</i>	
<b>Affordable/Social dwellings</b>	To be negotiated in accordance with relevant legislation and SDCC Housing Policy	
<b>Non-retail commercial development</b>	200 sqm min	
<b>Retail development</b>	650 sqm max	
<b>Community</b>	600 sqm min	
<b>Building height</b>	<b>Sub Sector</b>	<b>Building Height</b>
	CSW-S1	2-6 storey
	CSW-S2	2-4 storey
	CSW-S3	2-6 storey
	CSW-S4	2-6 storey
	<i>* See also Figure 3.3.2 Building Height Concept</i>	
<b>Public open space</b>	14,300 sqm	

*Target units – 1,441 (CSW) 461 (S3 only)*

It is proposed to provide 157 units within CSW-S3. 162 units in CSW-S3 were approved under SDZ21A/0022 and 126 are proposed in SDZ22A/0018 (noted that the Planning statement indicates the future phase, tile 2, would contain c.122 apartments). 445 units would be provided in total. Which is within the acceptable range of 422-504 dwellings.

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### *Net Density*

CSW – S3 has a density range 51-61 units per hectare, however, the red line only contains a proportion of the subsection. Under SDZ21A/0022, the proposed net density was 74 units per hectare.

Under the current application, the applicant states that the proposed net density of CSW-S3 is 51.9.

It is unclear how the applicant has arrived at this density calculation. The applicant is requested to set out the net density for

- the current application
- the current application and previously approved scheme
- the current application, previously approved scheme and units proposed under SDZ22A/0018

**Additional information** is requested.

### *Affordable/social dwellings*

Housing Strategy has stated:

*“I refer to the above application for planning permission Reg Ref SDZ22A/0017 and I wish to advise that a Part V condition should be attached to any grant of permission for this application.*

*The applicant has submitted a Part V proposal to the Housing Department which provides for 15 apartments in Block 1, 5 x 1 beds and 10 x 2 bed units including 2 x universal design type units. The Housing Department has sought that 1 x 4 bed house is included in lieu of 1 x 2 bed apartment.*

*The Part V percentage liability is dependent on the date the applicant purchased the subject site and the applicant is required to provide proof of same to the Housing Department.*

*Further proposals are subject to review and consideration by the Housing Department, subject to planning approval. South Dublin County Council can only agree Part V in respect of the permitted development subject to costing approval from the Department of Housing, Local Government & Heritage.*

*Please note that the Council would require a fully completed Part V submission before commenting on costs”.*

Further negotiation between the applicant and Housing Section is required and a condition is recommended in event of a grant of permission.

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*Non-retail / commercial – no requirement*

None provided.

*Retail – no requirement*

None provided.

*Community – no requirement*

None provided.

### *Building Height*

The subsector has a height range of 2-6 storeys and the proposal is consistent with these parameters. It is noted that the area adjacent to the Park is highlighted as being 3-4 storeys and the applicant is proposing 2 storeys at this location. The applicant is requested to provide **additional information** to demonstrate that there is increased massing of the dwellings fronting the park.

*Public Open Space – 14,300sq.m*

It is noted that Table 2.13.1 designates the 14,300sq.m local park area to the CSW – S3 sub sector. This has been provided in SDZ21A/0022.

### Key Objectives for Clonburris South West Development Area

The following key objectives for Clonburris South West are.

- *To develop a high quality residential neighbourhood at Clonburris;*
- *To develop a new local node, Cappagh, comprising small-scale, local retail, service and community facilities, fronting the new Boundary Park;*
- *To develop new co-located primary and post-primary schools with direct access and frontage to the new Boundary Park;*
- *To provide locally accessible open spaces of local and strategic importance;*
- *To ensure high levels of legibility and ease of orientation;*
- *To provide a new north south avenue link connecting Clonburris North East, Clonburris South East and Deansrath/ Bawnogue;*
- *To provide a new link route/avenue in the heart of the neighbourhood as part of the main connection between Kishoge and Clonburris urban centres;*
- *To prioritise pedestrian and cyclist movement and to provide for bus services along the avenue;*
- *To provide for a range of housing along the new avenue and local streets including home zones;*

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- *To provide a distinctive, diverse and quality frontage to the Canal corridor;*
- *Sensitively designed pedestrian access points to the Grand Canal;*
- *To retain and refurbish the Cappagh Overflow bridge;*
- *To seek the refurbishment and re-use of Omer's Lock House;*
- *Where possible, in preserving the architectural integrity of the Omer Lock House that a heritage centre be located on or close to the site of the Lock House to act as a centre for the promotion of the heritage, architectural and archaeological history of the Lucan and Clondalkin areas, whilst recognising that other more viable uses for the structure may present themselves and will be considered should that be the case;*

A number of the key objectives for the wider Development Area are not relevant to the subject site. Notable features of the current application are the railway line to the north and the north / south link to the west. It is noted that the applicant has addressed the key objectives in their Planning Statement.

Urban Design related objectives will be assessed later in the report.

### **3. Consistency with the Planning Scheme**

In addition to the specific requirements of the development area, the planning application should satisfy the requirements of Section 2, which sets out 12 individual topic areas.

#### **Land Use and Density**

Section 2.1 of the Planning Scheme sets out the following sections relevant to this development:

- Types of Development
- Extent of Development
- Residential Density
- Residential Development Standards

#### **Types of Development**

The site is located within a primarily residential area, in accordance with Figure 2.1.2 of the Scheme. The relevant land use matrix is as follows:

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**Table 2.1.1** | Uses Permissible & Open for Consideration in Residential Areas

<b>Permitted in Principle</b>	Bed & Breakfast, Childcare Facilities, Community Centre, Cultural Use, Doctor/Dentist, Education, Embassy, Enterprise Centre, Funeral Home, Guest House, Health Centre, Housing for Older People, Hotel/Hostel, Industry-Light, Live-Work Units, Nursing Home, Offices less than 100 sq.m, Open Space, Public House, Public Services, Recreational Facility, Recycling Facility, Residential Institution, Residential, Restaurant/Café, Retirement Home, Shop-Locala, Shop-Neighbourhoodb, Sports Club/Facility, Traveller Accommodation, Veterinary Surgery..
<b>Open for Consideration</b>	Advertisements and Advertising Structures, Agriculture, Allotments, Betting Officea, Crematorium, Garden Centre, Home Based Economic Activities, Industry-General, Motor Sales, Nightclub, Office-Based Industry, Offices 100 sq.m - 1,000 sq.m, Off-Licencea, Petrol Station, Place of Worship, Science and Technology Based Enterprise, Social Club, Stadium.

- a. Local Nodes only
- b. Local Nodes only and subject to SIZ Section 2.5 (Retail) convenience cap for Local Nodes

The application proposes residential. The proposed lands use is permitted in principle and as such, is consistent with the scheme.

### Extent of Development

Section 2.1.4 states the full extent of development for the Planning Scheme. This is further broken down in the Planning Scheme by policy and quantitatively under Section 2.13 and Development Areas. Assessed above.

### Residential Development Standards

#### *Dwelling Mix*

It is noted that it is a key objective for the CSW Development Area to *provide for a range of housing along the new avenue and local streets including home zones.*

Section 2.1.6 of the Scheme states “*Prescribed densities and building heights (see Section 2.8 Built Form and Design) will, however, help inform the appropriate dwelling typologies in each Development Area.*” There is, therefore, no prescribed unit mix in the Scheme.

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In accordance with SPPR 1 of the apartment guidelines ‘*Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).*’

### Summary of Dwelling Mix:

<b>Number of Dwellings:</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed</b>	<b>Total</b>
Houses	4	65	12	81
By Percentage	5	80.2	14.8	

<b>Number of:</b>	<b>1 Bed</b>	<b>2 Bed*</b>	<b>3 Bed</b>	<b>TOTAL</b>
<i>Apartments</i>	26	50	0	76
<i>% Of mix</i>	34	66	0	

*\*No breakdown between 2bed 3p and 2bed 4p is given on the summary schedule.*

It is considered that the mix of units proposed will contribute to a good overall mix and achievement of the key objective for the CSW Development Area.

### *Dwelling Size & Private Amenity Space*

The design and layout of individual dwellings should provide a high-quality living environment for residents. Dwellings should provide adequate room sizes that create good quality living spaces. Designers should have regard to the targets and standards set out under Quality Housing for Sustainable Communities Guidelines (2007) with regard to minimum room sizes, dimensions and overall floor areas.

Table 2.1.9

Type of Unit	Houses	Public Open Space
1bed	50sq.m	48sq.m
2bed	80sq.m	55sq.m
3bed	92sq.m	60sq.m
4bed+	110sq.m	70sq.m



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The Housing Quality Assessment submitted indicates that the minimum floor areas would be met. In terms of private amenity space, the schedule sets out the minimum required but does not detail the provision made for each house. The applicant is requested to include this detail on the schedule via **additional information**.

All apartments shall accord with or exceed the open space and floor area standards set out in Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2015) including the minimum floor areas set out in Table 2.1.10 of this Planning Scheme. Noted that the Apartment Guidelines (2020) supersede the Scheme reference to 2015 (Section 1.6 of Scheme refers).

The following requirements are set out in the Apartment Guidelines:

Type of unit	Floorspace	Agg. Living etc sq.m	Agg. bed	Private open space	Communal open space	Storage
1bed	45sq.m	23	11.4	5	5	3
2bed 3p	63sq.m	28	20.1	6	6	5
2bed 4p	73sq.m	30	24.4	7	7	6
3bed	90sq.m	34	31.5	9	9	9

The Housing Quality Assessment also fails to indicate the provision of private amenity space for each apartment / type and the applicant is requested to provide this via **additional information**.

It is apparent that there are also a number of discrepancies in the table in relation to some detail, e.g.:

- Type AP\_1B: 1bed 2p: agg bed area 41.8sq.m
- Type AP\_1C: 1bed 2p: agg bed area 42.4sq.m
- Type AP\_2H: 2bed 4p: total bedspaces 5

The applicant is requested to provide an updates HQA which resolves any discrepancies.

The applicant is requested to indicate which apartments are 10% above the minimum on the schedule.

With regards to communal open space, the apartment guidelines set out the following requirement:

1bed	5sq.m
2bed 3p	6sq.m
2bed 4p	7sq.m

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The proposed development provides:

-1bed: 26 x 5 = 130

- 2bed 3p: 7 x 6 = 42

- 2bed 4p: 43 x 7 = 301

TOTAL: 473

The planning report states that 522sq.m is provided.

### Dual Aspect

Whilst is not set out in the Scheme, SPPR4 of the Apartment Guidelines (2020), the minimum number of dual aspect apartments that may be provided in any single scheme in suburban or intermediate locations shall be 50% and 33% in more central accessible urban locations. The overall summary of accommodation sets out that 40.79% of apartments are dual aspect. The proposed apartment block would be within 400m of the CUC development area and the proposed provision of dual aspect is therefore acceptable. The applicant is requested to set out how many apartments are single aspect (north) by **additional information**. A clear justification and rationale should be provided for any single aspect north facing apartments.

### Movement and Transport

Section 2.2 of the Planning Scheme details the Movement and Transport elements of the Planning Scheme.

The overarching principle states the following; *'To develop the SDZ lands in a manner that maximises existing and proposed public transport opportunities, including high quality rail and bus services, and support these opportunities with an integrated network of streets and routes with a clear hierarchy that promotes walking and cycling.'*

### Public Transport Accessibility

The SDZ is well served by existing and planned public transport provisions. The key element for the subject application is to provide for and integrate with a choice of direct or indirect multi-modal routes to existing or planned public transport. In the context of the subject site, a connection to the Train Station, Fonthill Road and the Clonburris South Link Street is required.

### Pedestrian and Cycle Movement & Street Network and Vehicular Movement

Noted that a Key objective for the CSW Development Area is to prioritise pedestrian and cycle movement.

The Planning Scheme outlines the rationale behind the street network and outlines that the street network developed forms an integral part of the movement framework. The Planning Scheme outlines that the alignment of the street network should largely have an orthogonal grid layout and shall largely comprise an open network in terms of permeability.

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Local Streets that provide through routes for pedestrians and cyclists should be filtered to prioritise pedestrians and cyclists where junctions intersect with Link or Arterial Streets. The Planning Scheme provides an Overall Movement Concept in Figure 2.2.7 to demonstrate the same. The Movement Concept of the Planning Scheme is integrated with the accompanying Transport Assessment and Transport Strategy.

Having regard to the above, it is considered that the movement and street network proposed by the applicant is largely compliant with the planning scheme. The Roads Department has raised some concerns regarding the implementation of matters discussed in the Road Safety Audit that have not been implemented and has requested **additional information**.

### Street Hierarchy and Movement

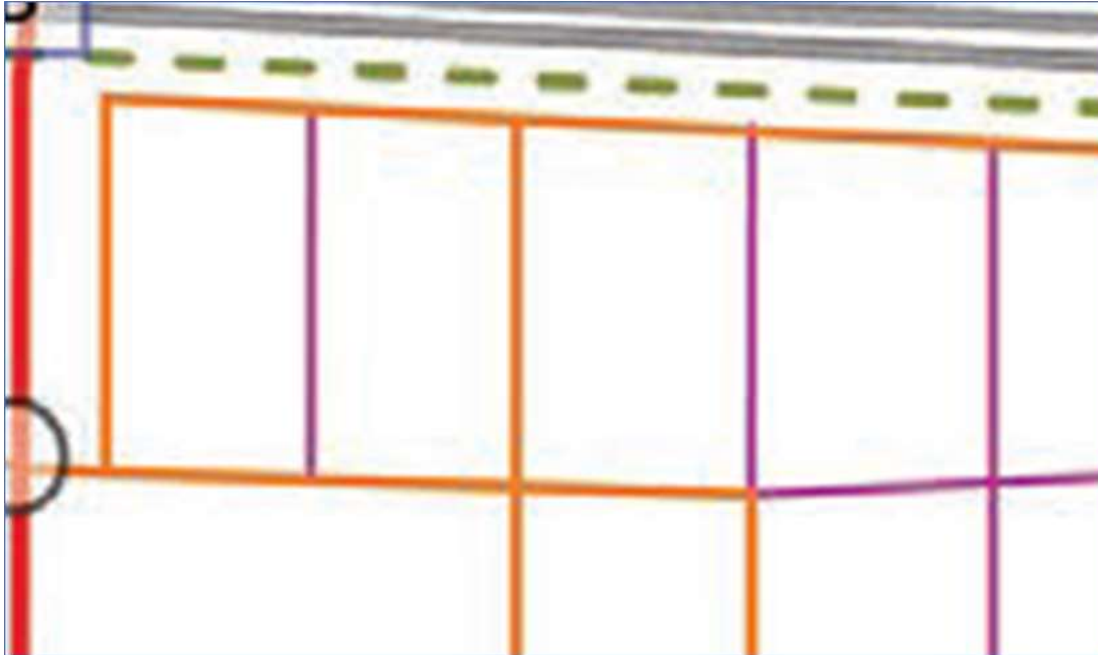


Figure 1- Overall Street layout proposed.

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*Figure 2 – Movement Concept in Planning Scheme*

The Roads Section has raised concerns regarding the road hierarchy, stating that Street 18 should be an intimate local street, rather than a local street. It is noted that there are no fixed building frontages on this street, nor are there any green infrastructure or other designations. It is noted that the element of this street within the current application provides parallel parking and could be an intimate local street, however, there is a concurrent application under SDZ22A/0018 which provides perpendicular parking and indicates a street width greater than 20m. The applicant is requested to provide **additional information** which justifies the road typology in light of the overall road hierarchy within the CSW-S3 subsector.

### Street Design

The principle of all designated streets in the Planning Scheme is fixed. It is considered that the approach of the proposed development in terms of street designation is generally consistent with the Planning Scheme.

Section 2.2.4 of the Scheme outlines that the centre line and alignment of the Local Streets and Homezones are flexible with the exception of streets with frontages prescribed under Section 3 (Development Areas). In this instance, the application site contains prescribed frontages in the form of Avenue Frontage, Railway Frontage and Park Frontage (Figure 3.1) as per the image below.



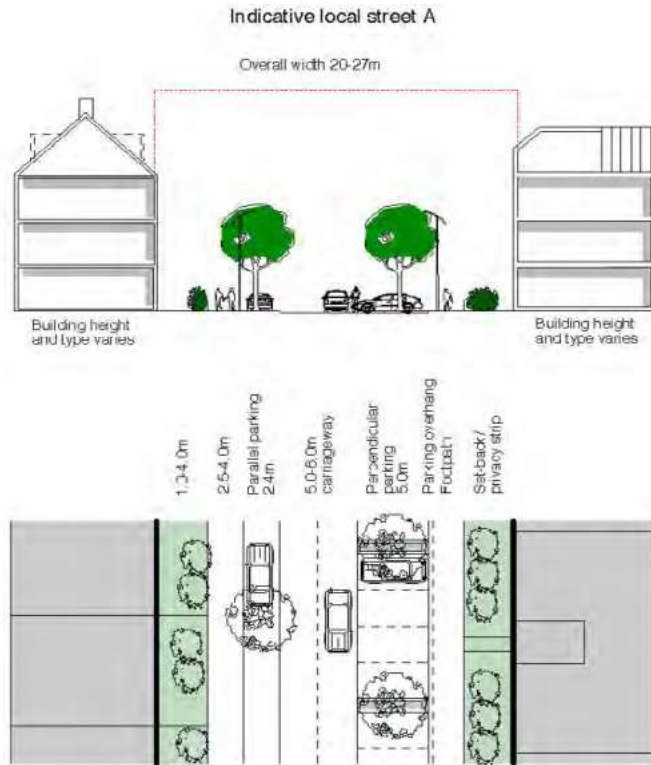


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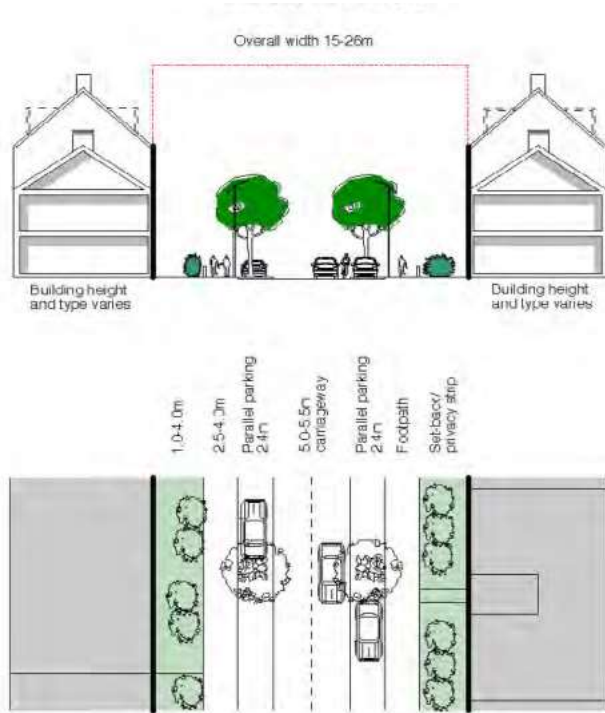
The Scheme states that the onus is on developers/applicants to demonstrate that a proposed development involving a plot adjustment would not significantly affect the prescribed alignment or centre line of any fixed street; would not significantly affect prescribed building lines of any fixed street; would not adversely impact on the environment or environmental objectives contained in the SEA Environmental Report (including required setback from the Grand Canal); and would not have any implications in relation to European Sites. The Planning Authority considers that the approach, in this instance, given the minor discrepancy in the location of the frontage, is not inconsistent with the Planning Scheme.



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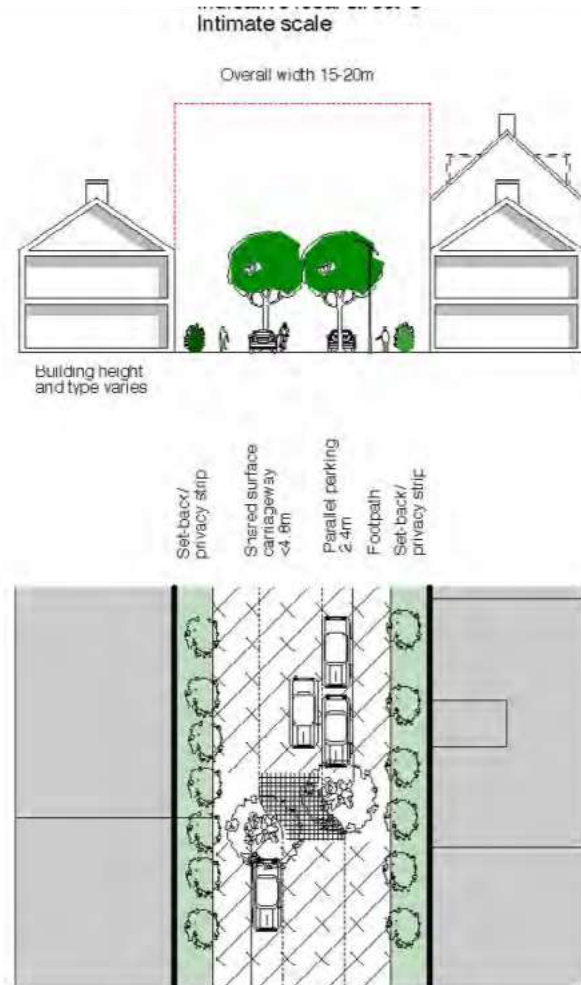
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**Figure 2.2.6** Example Local Streets including Homezones (Intimate Scale)

Each of the proposed streets is assessed below. It is noted that the Planning Scheme allows for 60% of car parking to be on curtilage:

- Street 12: Generally, meets indicative local street. On curtilage parking is provided in part, which is in keeping with the scheme provided overall provision is less than 60%. There are concerns regarding the design of the area to the south of the apartment block (Block 1), which does not provide parking, nor does it provide a min. 2.5m wide footpath (only 2m is provided at this location).
- Street 13: No opposing buildings. Generally, meets indicative local street A. On curtilage parking is provided in part, which is in keeping with the scheme provided overall provision is less than 60%. There are concerns regarding the design of the area to the north of the apartment block (Block 1), which does not provide parking nor does it provide a min. 2.5m wide footpath (only 2m is provided at this location).



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- Street 14: No opposing buildings. Generally, meets indicative local street A. Footpath is only 2m wide and should be increased to 2.5m. An area of open space is identified at this location within the scheme and it is also identified as a strategic green corridor. It is noted that there are significant levels of parking along this street, which are necessary for the apartments. In light of the GI designations in this area, the applicant is requested to provide for a Homezone along Street 14, along the north of the apartments to meet Street 15. There should be a significant increase in the level of planning and GI in this area also.
- Street 15: Generally, meets intimate scale. Appears that carriageway may be 5m. Applicant requested to indicate a width of no greater than 4.8m.
- Street 16: Generally, meets indicative local street A. Footpath reduces to 2m in part. 2.5m required.
- Street 17: Generally, meets intimate scale. Noted frontage 21.05m – this should be reduced to 20m. Footpath is 2m, should be 2.5m. Appears that carriageway may be 5m. Applicant requested to indicate a width of no greater than 4.8m.
- Street 18: Generally, meets indicative local street A (when considered with information provided on adjacent application). The scheme requires intimate local street at this location and the applicant is requested to provide a rationale for their approach.

Where perpendicular parking is proposed, the applicant is requested to indicate that there is a 6m reversing space. The applicant is requested to provide a plan setting out the dimensions of all street widths, in compliance with the scheme, and all foot paths, carriageways and parking bays.

There are no other street typologies within the planning application area.

**Additional information** is requested to address the above

#### Pedestrian Permeability:

The Roads Report outlines that overall pedestrian permeability is good, there are links to the surrounding developments.

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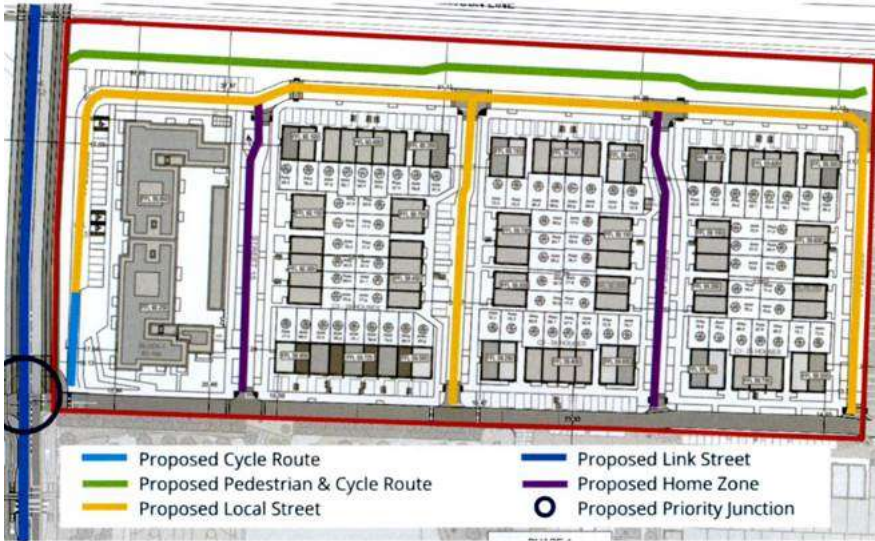
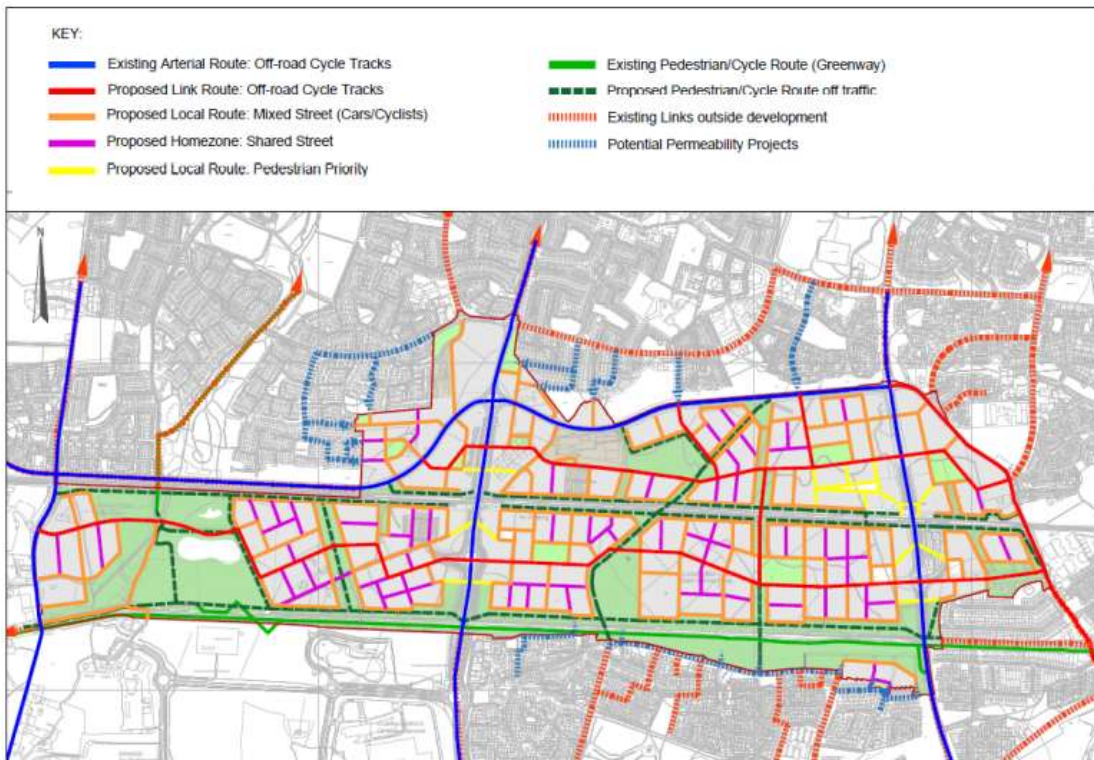


Figure 4-4 Proposed Street Hierarchy for the Subject Development Site

### Street hierarchy



Pedestrian layout from the Planning Scheme Transport Assessment and Strategy

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#### Car Parking

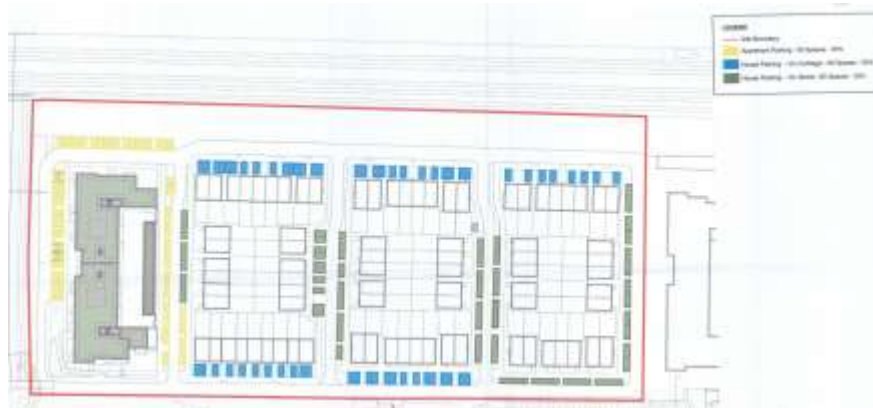
##### *Quantum*

The car parking standards for the key land uses in Clonburris are set out under the South Dublin County Council Development Plan 2022-2028. The proposed provision is as follows:

Unit Type	No. of Units	DHPLG Requirement	SDCC Maximum Allowable	Proposed Provision
Apartments	76	Reduced Provision	70	50
Houses	81	N/A	121	120
Total	157	<191	191	170

*Table 4-2 Proposed Car Parking Provision*

The Roads Report States *“The subject lands are located within an area with an accessibility level of 1/3 and therefore located within Zone 2.*



*A total of 170no. car parking spaces (50no. apartment, 60no. on street & 60no. on curtilage) are proposed.*

*The maximum number of carpark spaces allowed for this development under the CDP 2022-28/Clonburris SDZ planning scheme would be 169.5no. The applicant has proposed 170no. spaces which SDCC Roads find to be satisfactory”.*

This is considered acceptable.

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### *Type of Parking*

Section 2.8.10 Design of Parking and Loading in the Planning Scheme provides for design criteria for the provision of car parking. The Scheme outlines that car parking should be carefully considered as part of the overall public realm. In the context of this area, the Scheme states that a mixture of on street parking for visitors and residents should be provided. The Scheme states 'that a range of less formal or alternative parking arrangements may be used along Local Streets where densities range between 40 – 50 dwellings per hectare. This may include a mixture of on-street and in- curtilage parking, however, no more than 60% of residential parking spaces shall be provided as in-curtilage parking space in any Development Area. Parking within Home Zones/Intimate Local Streets shall be on- street.'

Drawing PL008 sets out the following quantum's:

- Apartment parking – 50 spaces – 30%
- House parking – on curtilage – 60 spaces – 35%
- House parking – off curtilage 60 spaces – 35%

The design statement states that 38% of car parking is on curtilage. The applicant is requested to provide a plan indicating which spaces are on curtilage and which are off curtilage. **Additional information** is requested.

### *Bicycle Parking*

The report from the Roads Department states:

*“The applicant has proposed 170no. bike parking spaces; 130no. long-stay (covered) and 40no. short-stay.*

*On the submitted drawing 55no. slots can be counted and remains unclear how 170 bikes will be facilitated.*

*Applicant to provide additional information which:*

- *details all (any additional) bicycle parking locations within the site*
- *demonstrates the proposed number of spaces meets the minimum CDP 2022-28 criteria.*
- *demonstrates there is significant capacity within the proposed bicycle parking store to cater for the proposed number of 170.*
- *acknowledges the proposal is in line with the National Cycle manual (2011)*
- *gives additional detail re the bicycle stand specification (i.e., Sheffield stands) proposed”.*

**Additional information** is requested.

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### **Green and Blue Infrastructure**

The overarching Principle states the following: 'To deliver a network of high quality green and blue infrastructure spaces and public parks while protecting, enhancing and sensitively upgrading the natural, built and cultural assets of Clonburris lands'.

#### *Local Green Corridor and Strategic Green Corridor*

There are no Local Green Corridors identified in Section 2.3.2 of the Scheme. However, there are Strategic Green Corridors along the north and west. The applicant has identified a 'Local Green Corridor' to the north on their layout plan. The applicant is requested to set out how the proposal meets the strategic green corridor requirements via **additional information**.

This is discussed further under 'Parks and Landscaping' below.

### **Retail, Economic Development & Community Facilities**

Not relevant in this instance.

### **Built Form and Design**

The overarching Principle states the following: '*To ensure that development across the SDZ lands is carried out in a design led manner that prioritises place making and accords with the core principles of urban design and the creation of integrated streets.*'

#### Design Statements

To ensure coherency and quality in design, all medium to large scale development proposals on the SDZ lands (Landmark Buildings, 10 dwellings or more in the case of residential development or development of over 1,000 sq.m in the case of employment or retail/ retail services development) shall be accompanied by a Design Statement that:

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<p>Demonstrates compliance with this SDZ Planning Scheme including its various requirements that relate to (inter alia) green infrastructure, blue infrastructure, movement, transport, land use, density (see Section 2.1.5 –Residential Density), built form and design;</p>	<p>The design statement assesses these matters, however, there are specific concerns regarding some matters, such as green infrastructure.</p>
<p>Includes a masterplan that demonstrates proposed and future integration with the development of surrounding sites and Development Areas including vehicular, pedestrian, cycle and public transport connections;</p>	<p>The applicant has provided some detail, however, there is concern regarding the interface between the proposed apartment block and the roadway / bridge to the west. Further consideration of this matter is required via <b>additional information</b>. The applicant is requested to provide further cross sections to include the bridge and also provide more detail regarding the impact of the bridge on the amenity area to the west of the apartment block. The applicant is requested to provide details of how any retaining features would be incorporated into the adjacent open space.</p>
<p>Demonstrates compliance with the 12 design criteria contained within the Urban Design Manual A Best Practice Guide (2009) in the case of residential development;</p>	<p>This has been set out in the design statement and is discussed further below.</p>
<p>Demonstrates a range of dwelling sizes to support a variety of household sizes and dwelling types;</p>	<p>The design statement sets out details on the variety of the mix of units. The Planning Authority notes the mix.</p>
<p>Demonstrates compliance with the 10 design criteria contained within the Retail Design Manual (2012) in the case of retail development;</p>	<p>n/a</p>
<p>Includes street cross sections and plans that demonstrate compliance with DMURS (2013) in terms of ‘Movement, Place and Speed’, ‘Streetscape’, ‘Pedestrian and Cyclist Environment’ and ‘Carriageway</p>	<p>Cross sections have been provided. Noted that the ‘homezone’ typology is over 21m wide, which is not consistent with the scheme. This should be a maximum of 20m. The applicant is requested to address his via</p>

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Conditions' etc.;	<b>additional information.</b>
Includes a Quality Audit addressing street design as outlined under DMURS (2013);	No quality audit provided. Roads has raised no concerns in this regard.
Includes cross sections that demonstrates appropriate design responses to existing and proposed site levels including those that relate to streets, spaces, building frontages, services and SUDS;	There are concerns regarding the interface with the lands to the west. <b>Additional information is requested.</b>
Is accompanied by a detailed Landscape Plan that is consistent with the Parks and Landscape Strategy for the SDZ lands (see Section 2.10 – Landscape and Open Space) and specifies and illustrates the proposed treatment of streets and spaces including parking, street furniture, lighting (street and dedicated pedestrian/cycle routes), planting, surface treatment and children's play facilities;	Landscape plan provided. <b>There are some concerns regarding landscaping, and these are discussed under Parks and Landscaping below.</b>
Includes details in relation to the identification and incorporation of any features and structures of architectural merit and/or any sites and features of archaeological interest. Where practicable, the design of a development should be informed by its relationship with archaeological or architectural features located either within or outside the SDZ Lands such as the Clondalkin Round Tower.	There are no areas of architectural merit close to the site. The Department of Housing, Local Government and Heritage has requested further information and the applicant is requested to set out how this has been met following the submission of the relevant <b>additional information.</b>



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*Urban Design Manual – A Best Practice Guide 2009*

<b>Urban Design Criteria</b>	<b>Assessment</b>
<i>1. Context: How does the development respond to its surroundings?</i>	Applicant states that the railway to north and the proposed bridge to the west were taken into consideration. The Planning Authority has concerns regarding the interface with the bridge to the west and <b>additional information</b> is requested in this regard.
<i>2. Connections: How well is the new neighbourhood / site connected?</i>	Land is unused. The proposal connects to adjacent application areas.
<i>3. Inclusivity: How easily can people use and access the development?</i>	High quality road, rail, cycle and bus network provided across over SDZ area.
<i>4. Variety: How does the development promote a good mix of activities?</i>	Residential development comprising a mix of houses and apartments. Variety of uses within overall SDZ area.
<i>5. Efficiency: How does the development make appropriate use of resources, including land?</i>	Residential development with public realm space and car and bicycle parking.
<i>6. Distinctiveness: How do the proposals create a sense of place?</i>	Applicant has addressed requirements for frontage and urban grain.
<i>7. Layout: How does the proposal create people-friendly streets and spaces?</i>	Homezones and side streets with traffic calming measures proposed. Some modifications necessary to ensure compliance with the scheme. <b>Additional information.</b>
<i>8. Public realm: How safe, secure, and enjoyable are the public areas?</i>	Passive surveillance of public open space areas. <b>Planning Authority is not satisfied with the design of the area to the west of the apartment block.</b>
<i>9. Adaptability: How will the buildings cope with change?</i>	Internal layouts can be easily adapted in the future. Noted that increased internal height is provided on ground floor for apartments.
<i>10. Privacy / amenity: How do the buildings provide a decent standard of amenity?</i>	No undue overlooking. Applicant is requested to provide further detail regarding levels of private amenity. <b>Additional information requested.</b>
<i>11. Parking: How will the parking be secure and attractive?</i>	On-street surface and on-curtilage car parking provided. Some conflicting information provided, and <b>additional information is requested.</b>



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Urban Design Criteria	Assessment
<i>12. Detailed design: How well thought through is the building and landscape design?</i>	Detailed design is acceptable.

### External Finishes and Appearance

Houses will be a mix of brick and sash render. The Design reflects the permitted scheme to the south.

Brick will be the primary material for the apartment block and there will be sections of dash render. There are own door ground floor units and block 1 is articulated with grey plinth which wraps the building where the door entrances are proposed. Core entrances are articulated with canopies.

The tone of the brick from the housing is distinct from that of the apartments and porches will have stone capping where there are rendered facades. End treatments are proposed to ensure no dead or windowless facades. End treatments of houses are full brick to demarcate connections.

The overall design and materials are considered acceptable, however a reduction in the amount of render as a finishing material to the apartments is likely better-wearing.

### Block Form

All perimeter blocks shall be designed according to the following principles:

- Building massing to the perimeter of the block;

**This is achieved.**

- Building frontage to all sides, including the shorter sides (secondary street frontage) of the block;

**This is achieved.**

- Proper design and attention to corners, avoiding dead or windowless gables;

**This is achieved.**

- A continuity of building frontage, which relates to the local or urban context, and avoidance of blank walls;

**There are breaks in the majority of blocks. Noted that the cycle / storage area to the rear of the apartments is long, however, green walls are provided to create visual interest.**

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- An appropriate scale of buildings to provide the appropriate level of enclosure of the streets and spaces;

**A variety of heights is provided, with apartments to the avenue frontage and front gables to the park frontage.**

- Adequate back-to-back distances within the block;

**Detail provided on layout plan and considered acceptable.**

- Appropriate building setbacks from the street in line with the use of ground floors;

**Appropriate privacy strips provided.**

- Adequate arrangements for car parking and access around, within or below the block;

**Parking arrangement is considered acceptable.**

- Carefully considered subdivision of the block into plots where fine urban grain or mixed use is proposed –

**Area of fine urban grain provided; however, the proposed design is not acceptable, and the Planning Authority would welcome further variety and individual design.**

#### Block Size

In order to encourage pedestrian permeability and ensure that streets and blocks are dimensioned to reflect their function and setting, reduced block lengths shall be utilised across the SDZ lands. Block dimensions in the Development Areas that are contiguous to both urban centres should be no more than 100 metres. Larger or irregular blocks of up to 120 metres should be broken up using mid-block penetration with short cul-de-sac/mews development to serve a small number of dwellings. It is apparent that the proposal achieves this.

#### Topography

All Development shall respond sensitively to level differences particularly in those areas of the SDZ Lands where levels change significantly either side of existing strategic roads.

Development should therefore be laid out and designed in a manner that circumvents the need for retaining walls and blank frontages.

Gradients on all Link Streets and Local Streets should be as gradual as possible with a gradient of between 1 in 33 (or 3%) and 1 in 20 (or 5%) targeted. In pedestrian streets and the urban squares, a gradient change of between 1 in 33 (or 3%) shall be targeted and all surfaces should be smooth and continuous with a gentle slope while avoiding, where possible, steps in level. In some areas level changes will need to be carefully regraded. In other areas basement car-parking, services or storage can be provided to raise building ground floor levels to the finished street or space level.

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The applicant has submitted a range of contiguous elevations that demonstrates the approach to topography. It is apparent from the information submitted, that the height of the buildings has little variety. However, the proposal is for a relatively small area of development, and it is noted that apartments and houses are provided, which is considered acceptable in this instance.

### Urban Grain and Façade Treatment

Figure 2.8.5 of the Planning Scheme provides for a fine urban grain to the south, fronting the park.

The applicant has proposed a House Type H, a terrace of houses with a variety of plot widths, roof profile and materials.

The Planning Scheme states that each plot along the park frontage (fine urban grain locations) shall be capable of development independently of other buildings/ plots within each block with own door access to dwellings.

It is not considered the current proposal meets this requirement and it is considered that the fine urban grain provides an opportunity for greater diversity and architectural interest. The applicant shall be requested to consider further alternatives. Noted that the Building Height concept envisaged a 3-4 storey height at this location. **Additional information** is requested.

### Building Setback

Development across the SDZ lands should present strong building frontages close to street edges. Setbacks from the street edge should therefore be minimised and on-street parking should be incorporated in line with the requirements of DMURS (2013), the street typologies illustrated under this Planning Scheme (Section 2.2 – Transport & Movement) and the requirements set out under Section 2.8.10 in relation to the design of parking and loading. There are currently concerns regarding the area to the west of Block 1, the setback from the bridge and the public realm in this area.

Where dwellings front the street edge, privacy strips/short gardens that range from 1 to 3 metres in depth should be considered particularly along Local Streets and Link Streets. The proposal meets this requirement,

### Building Heights and Street Widths

Designated building heights along Arterial and Link Streets have been determined by street width and proximity to the urban centres. Lower building heights are therefore required along Local Streets to provide a more intimate scale with the exception of park frontages where a modest increase in scale shall be utilised to provide adequate enclosure. It is not apparent that the applicant has provided an increase in height along the park frontage. **Additional information** is requested.

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Figure 3.3.2 - Building Height Concept of the sets out the height concept for the SDZ. This is to be read in conjunction with the requirements of Section 2.8.6 and the relevant character area of the SDZ, in this case the area known as Development Area 3: Clonburriss South West.

Section 2.8.6 states 'the general building heights outlined in Figure 2.8.10 and the detailed requirements set out under Section 3.0 (Development Areas).' The designated building heights of the Planning Scheme are the Tables in Section 3. The Building Height Concept/Strategy is additional to aid understanding of implementation and inform the required urban design approach for development proposals.

3-4 storey were envisaged along the avenue and park frontages. The proposal achieves this to the west, but the proposed housing fronting the park is 2 storey. The remainder of the application site area should be 2-4 storey in accordance with the scheme and the proposal meets this.

### Landmark Buildings (Section 2.8.6)

N/A

### Privacy and Overlooking

There are no concerns regarding privacy and overlooking.

### *Sunlight and Daylight*

The applicant has provided a Daylight, Sunlight and Overshadow study, prepared by IES. In terms of methodology, the applicant utilises both the new edition and that cited in the relevant guidelines. They state on Page 18 "*with regards to interior daylighting and external sunlight exposure in particular where different methodologies are found in each of the different standards, all have been carried out for completeness to ensure appropriate and reasonable regard has been taken to address all assessments under all of the different standards*".

The conclusions are as follows:

- Shadow analysis – Clonburriss south – minimal additional shading in June, none for rest of year
- Sunlight to amenity – 2 hours of sunlight on March 21<sup>st</sup> over 50% standard met for existing and proposed amenity spaces.
- Private gardens – those facing north are below the standard.
- Sunlight to existing buildings – no relevant buildings for APSH
- Sunlight to proposed development – the report concludes that the results are considered satisfactory (BRE guide / BS 8206-2:2008). Results are also considered satisfactory for IS EN 17037:2018.
- Daylight existing buildings – based on guidelines, no neighbouring dwellings in phase 1 need to be assessed.

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- Daylight proposed development – 3 standards assessed:
  - BRE guide / BS 8206-2:2008 – 91% compliance.
    - Compensatory measures are proposed. These are.
      - 53% of apartments have 10% greater floor area than what is required.
      - 41% are dual aspect.
      - Additional communal open space provided.
  - IS EN 17037:2018 – 99.3% compliance.
  - IS EN 17037:2018 National Annex – 100% compliance.
- View out – standard is met as residential.
- Glare – Not carried out as residential.

The report concludes that the development ‘performs well’ when compared to the recommendations.

The applicant is requested to set out how the proposed bridge has been taken into consideration in the sunlight and daylight assessment. A ‘worst case’ scenario should be utilised to ensure the impacts on future development are fully assessed. **Additional information** is requested.

#### *Energy Efficiency & Resilience*

An Energy Report had been prepared by Waterman Moylan. This sets out how the buildings meet Part L requirements. Details of building fabric, heat / renewable energy options and proposed solutions have been provided. A building life cycle report has also been prepared. In the event of a grant a condition is recommended to secure the measures set out.

#### Street Planting, Furniture and Materials

The Planning Scheme states that street trees should be considered as an integral part of the street environment in accordance with DMURS (2013) with the size of species selected proportionate to the width of the street. **Streets should be generously planted at frequent intervals to soften the impact of parking and strong building frontages at intervals of 14 – 20 metres.** Street trees should be planted in areas such as medians, verges and build outs. Street trees should also be augmented by planting within privacy strips along residential streets. In the interest of biodiversity and place making, reduced spacing between street trees should be considered where appropriate and achievable.

There are no specific comments regarding street trees in this instance.

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### *Street furniture*

Landscape Plans shall seek to limit clutter. The provision of street furniture such as public art, lighting, bollards, seating and cycle parking must therefore be considered as part of the overall design of the street and should be considered as part of a wider strategy.

Street furniture should be placed within a designated zone such as a verge and items should be selected from a limited palette that promotes visual cohesion. Further details in relation to street furniture including the design of good quality street lighting is provided in DMURS.

Noted that the Parks Department has requested further information regarding the landscape plan.

### *Boundary Treatment*

The applicant is requested to provide details via **additional information**.

## **Services Infrastructure and Energy Framework**

### *Water Supply*

Irish Water has raised no objections, subject to conditions.

### *Foul Water Drainage*

Irish Water has raised no objections, subject to conditions.

### *Surface Water Drainage and Sustainable Urban Drainage System (SUDS)*

Water Services has stated.

- *“It is unclear how surface water attenuation is within requirements of predesigned attenuation limits for Clonburris.*
- *Submit a report and drawing to show what attenuation was agreed for the site proposed and what attenuation is provided for the site proposed.*
- *Submit a report to show a comparison of calculations use for proposed site with calculations used in a pre-design stage of attenuation for Clonburris Site.*
- *Submit up to date surface water drawings. Show how surface water layout drawings compare to drawings at pre designed stage of Clonburris Site.*
- *Submit a report and drawing showing surface water drawings of attenuation and layout both at pe design stage and for proposed site. Outline the discharge rates proposed now and compare to pre design discharge rates for Clonburris.*
- *Include SuDS (Sustainable Drainage Systems) in proposed development such as a Green Roof, Swales, permeable paving and other such SuDS. Examples of SuDS can be found in the SDCC SuDS Guide at: [SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide.pdf \(size 9 MB\)](#)*
- *Contact water services in SDCC to discuss above issues before resubmitting additional information required2.*

**Additional information** should be provided, as above.

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The Parks and Public Realm Department has also raised concerns regarding SuDS. The report states:

*“The Clonburris SDZ strategy requires a green infrastructure-based approach to drainage and stormwater management. SuDS are to be designed as an ecological resource designed into the street, public squares and open space network. These shall be of a high quality, designed as a series of ‘wet’ and ‘dry’ landscape elements to achieve a multifunctional space for amenity, biodiversity, and surface water management.*

*SUDs to be designed in accordance with SDCC Sustainable Drainage Explanatory Design and Evaluation Guide 2022. Further use of swales and natural SUDs required. Additional details should be provided including details of filter strips. Provide road edge detail showing how water accesses the swales/tree pits and bioretention areas. Further information required on Tree pits. Also demonstrate amenity and biodiversity value of Suds measures. Contact Public Realm Section to agree details prior to resubmitting”.*

### *Waste Management and Recycling Facilities*

The following criteria will be considered in the assessment of the design and siting of waste facilities and bring facilities:

- The location and design of any refuse storage or recycling facility should ensure that it is easily accessible both for residents and/or public and for bin collection, be insect and vermin proofed, will not present an odour problem, and will not significantly detract from the residential amenities of adjacent property or future occupants, - **concern has been raised by roads that tracking for bin trucks has not been provided across the site.**
- Provision for the storage and collection of waste materials shall be in accordance with the guidelines for waste storage facilities in the relevant RWMP and the design considerations contained in Section 4.8 and 4.9 of the DECLG Design Standards for New Apartments (2015). Refuse storage for houses should be externally located, concealed/covered and adequate to cater for the size and number of bins normally allocated to a household. For terraced houses, the most appropriate area for bins to be stored is to the front of the house, which should be located in well-designed enclosures that do not detract from visual amenity, - **the applicant is requested to confirm that the scheme meets this requirement, it is noted that bin storage is provided to the front of dwellings, in parking areas. The applicant is requested to provide details of these via additional information.**
- Access to private waste storage in residential schemes should be restricted to residents only - **the applicant is requested to confirm that the scheme meets this requirement,**

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### *Aerodromes*

The site is located within areas designated as Inner Horizontal Surface (Casement) and Outer Horizontal Surface (Dublin). The OD heights area 131.6 and 212 respectively. It is not apparent that the proposed development would break these surfaces.

No comments have been received from the Department of Defence. Standard conditions are recommended in the event of grant of permission.

### *Noise*

The EHO has raised no objections, subject to conditions.

### *Construction Environmental Management Plans*

Should planning permission be granted, a Construction Environment Management Plan would be required. This can be secured via condition.

### **Landscape and Open Space**

The overarching Principle states the following: *'To provide attractive, interesting and well used outdoor spaces using the latest place making and urban design principles, creating a pedestrian-centred environment with active, inviting public space, parks and private gardens.'*

### *Proposed Open Spaces*

Open space has been provided for under SDZ21A/0022. The proposed communal area to serve the apartments is considered acceptable.

The Parks and Public Realm Department has made the following comments:

- 1. No Information on how this development impacts on the provision of the Strategic Green Link and bridge over the railway line. There is no information on how this development will link to the bridge or what happens to the cycle path running along the northern boundary.? It may restrict the development of that link.*
- 2. Insufficient Green Infrastructure (GI): The proposals are not compliant with Clonburris SDZ in relation to the green infrastructure links that are required as part of the scheme. The proposals remove existing Green Infrastructure that should be protected and enhanced. It also fails to provide the strategic green corridors as proposed in the SDZ. A redesign of the development is required to protect and enhance the existing Green Infrastructure along the western boundary of the site and develop the site as intended in the SDZ. This will require removing the road and parking from the Strategic Green corridor and moving the proposed building eastwards out of this area.*

*Impact on existing hedgerows and biodiversity: There are sections of existing hedgerows proposed for removal that are required to be retained by the scheme. Hedge 8 (identified*



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*on Tree Impacts Plan should be retained as per SDZ. Protective fencing on the scrub line along the northern boundary does not run the entire length of the scrub so this should also be extended.*

3. *Public Open Space requirement. A new strategic open space identified in the SDZ has not been provided. A road, parking and ramps are currently proposed in this area. Hedge 8 to be protected, enhanced and incorporated into Strategic Open Space as per SDZ scheme above.*
4. *Natural Sustainable Drainage Systems (SuDS) Limited Information has been provided. Details required showing how water flows from roads into SUDs features (swales/tree pits/bioretention areas). Further information is required on the Tree pits to demonstrate how the roots get into the soil and avoid girdling. Use of natural SUDs should be extended particularly with the use of swales and other features to improve amenity and biodiversity e.g., along the western boundary.*
5. *Play A greater level of play provision is required than what is proposed. Play seems limited to a few balancing poles. The concept of using natural play is acceptable however we require further detail on this. All play areas to be universally accessible”.*

**Additional information** has been requested.

### **Biodiversity and Natural Heritage**

The overarching Principle states the following *‘To maximise appropriate access to and use of the Grand Canal, Griffeen Valley Park and other biodiversity assets in an ecologically sensitive way, thereby offering unique selling points to the SDZ Planning Scheme.’*

#### **Hedgerows**

*Clonburris Planning Scheme Section 2.22 Biodiversity and Natural Heritage, Hedgerows, states:*

*‘The Hedgerow/treeline habitat linking the Grand Canal Corridor and the Rail corridor should be retained where possible, in order to maintain the continued ecological integrity of these habitats including for foraging and commuting bats. Where these hedgerows cannot be retained, a new hedgerow network composed of the same species shall be planted along roadways within the development.’*

The Parks and Public Realm Department has requested **additional information**.

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### *Protected Species – Bats*

The applicant has undertaken a bat survey, an Ecological Impact Assessment and a Wintering Birds Survey. It is recommended that the mitigation measures set out in these documents are secured via condition.

### **Archaeological and Architectural Heritage**

The overarching Principle states the following: *‘To retain and enhance architectural heritage and archaeological heritage features, sites and structures within the SDZ lands by encouraging conservation and incorporation including adaptive re-use, where appropriate, within the built fabric and landscape of the SDZ Lands.’*

<i>To incorporate Architectural Heritage structures and features throughout the SDZ lands in a manner that promotes place making and capitalises on the unique industrial heritage of the surrounding area;</i>	None close to the application site.
<i>To ensure that the high archaeological potential of the SDZ lands is fully considered and valued throughout the design and construction process.</i>	The Department has requested <b>additional information</b> .

### **Other Issues**

#### *Other Roads Issues*

#### **“Road Safety Audit**

*A Stage 1&2 Road safety audit was submitted. It appears that a significant number of items within the RSA have not been addressed. Applicant is required to submit a complete report stating how ALL items were addressed in the submitted application. Most notably the following:*

- (G2) Matter resolved except for one crossing not realigned as per RSA advice: at junction of street 12/18.*
- (G3) A drawing showing appropriate road signing/markings was not found in the submission.*
- (G4) A public lighting scheme was not available to the RSA team during their assessment which was noted. A public lighting submission has been made and should be reflected in a revised RSA.*
- (G5) Waste Bin Service arrangement – the applicant has not addressed in their submission the RSA issues raised.*
- (G7) Pedestrian Crossing Desire Lines – Appropriate pedestrian crossing facilities were advised in the RSA, but this has not been implemented.*
- (G11) Junction visibility splay. The issue highlighted in the RSA at the northern end of street 15 has not been addressed.*

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- (S3) Termination further south advised but not adhered to.*
- (S6) Confirmation re the gradient requested but not addressed.*
- (C1) Details re signalised junction not submitted.*
- (C2) Controlled pedestrian crossings provision not provided.*
- (C3) Pedestrian Cycle Link – clarification needed.*

### **Refuse collection.**

*Applicant to provide details of bin storage locations and also refuse service arrangements.*

### **AutoTRAK analysis**

*Further AutoTRAK analysis to be submitted. The applicant is required to submit a detailed AutoTRAK analysis for the following movements:*

- *Emergency vehicle access to all locations within the site (large firefighting tender to be included)*
- *Refuse vehicles accessing all bin storage locations.*

### **Taking in Charge:**

*A plan of the areas to be taken in charge by SDCC has been submitted. Details of the road construction have been included. The roads and footpaths must conform to Appendix 6 of SDCC Taking in Charge Policy & standards.*

### **Waste Collection:**

*The applicant has submitted details of the waste collection strategy. An AutoTRAK has been supplied detailing the route of the vehicle throughout the development. The access to the emergency route through Blocks C and D has not been made clear”.*

**Additional information** has been requested.

#### **4. Environmental Impact Assessment**

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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### ***5. Screening for Appropriate Assessment***

Information for the purposes of assisting in screening for Appropriate Assessment was prepared by MKO. The report concludes.

*“Following an examination, analysis and evaluation of the relevant data and information set out within this Screening Report, it can be concluded beyond a reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individual or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.*

*Given that no potential pathway for significant effects on European Sites has been identified, there is no requirement for Appropriate Assessment or the preparation of a Natura Impact Statement (NIS)”.*

### **Other Considerations**

#### ***Development Contributions***

- Further information recommended. Applicant to supply an updated schedule if amendments. **Additional information** requested.

### **SEA Monitoring**

FI recommended.

### **Conclusion**

Overall, the Planning Authority welcomes the planning proposal for this strategic site in the County.

The Planning Authority considers that the proposed development has addressed a lot of the requirements of the Planning Scheme, however, a range of further information is required in relation to:

- Urban Design and the interface with the future bridge to the west
- GI, SuDS and drainage
- Roads
- Landscaping and Open Space

The applicant is requested to address these concerns.

### **Recommendation**

Request additional information.

Additional information requested: 7 February 2023

Additional information received: 19 April 2023

# Comhairle Chontae Atha Cliath Theas

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## **Record of Executive Business and Chief Executive's Order**

### Consultations:

Department of Housing, Local Government and Heritage: no report received at time of writing.

Water Services: no objections, subject to conditions.

Irish Water: no objections, subject to conditions.

Parks: request clarification of additional information.

Roads: no objections, subject to conditions.

Heritage Officer: no report received at time of writing.

### **Assessment**

#### Item 1:

In order to ensure compliance with the scheme, the applicant is requested to provide the following detail:

a. The applicant has summarised the phasing requirements applicable up to Phase 1A 0-1,000 units. There are a total of 1,995 units either granted permission or included in planning applications currently under consideration. If all of these units were granted, constructed and occupied, they would take up the vast majority of the phasing allowance up to 2,000 units when the Phase 1B (1,001-2,000 units) requirements are required to be delivered. The applicant is requested to provide details on Phase 1B.

b. The applicant is requested to detail how the total net development area for CSW-S3 is met through applications SDZ21A/0022, SDZ22A/0017 and SDZ22A/0018.

c. It is unclear how the applicant has arrived at this density calculation. The applicant is requested to set out the net density for

- the current application
- the current application and previously approved scheme
- the current application, previously approved scheme and units proposed under

SDZ22A/0018

*Applicant's response:*

a.

*SDZ21A/0022 – approx. 100 units occupied by end 2023 and an addition 463 by end 2024.*

*SDZ22A/0018 - approx. 220 units occupied by end 2025, 250 by end 2026 and 124 by end 2027.*

*SDZ22A/0017 – approx. 80 units occupied by end 2024 and 77 by end 2025.*

		2023	2024	2025	2026	2027
Tile 1	563	100	463			
Tile 2	594			220	250	124
Tile 3	157		80	77		
Total	1,314	100	543	297		
Cumulative	N/A	100	643	940	1,190	1,314

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*Insofar as possible, the applicant has set out how phasing requirements will be met. Stated that Carin is not developing in all areas to which phasing requirements relate.*

*b.*

*The total net developable area for CSW-S3 is 8.33ha.*

*c.*

*Density for this application is 45.5dph*

*Density for this application with SDZ21A/0022 is 44.36dph*

*This application, SDZ21A/0022 and SDZ22A/0018 would provide 445 dwellings and a net density of 54.3, which is within the scheme parameters.*

Assessment:

- a. The phasing details provided are considered acceptable. Condition recommended in the event of grant.
- b. The Scheme requires 8.27ha. 8.33ha. is acceptable.
- c. Density is acceptable.

Item 2:

a. The Housing Quality Assessment submitted indicates that the minimum floor areas would be met. In terms of private amenity space, the schedule sets out the minimum required but does not detail the provision made for each house. The applicant is requested to include this detail on the schedule.

b. The Housing Quality Assessment fails to indicate the provision of private amenity space for each apartment / type and the applicant is requested to provide this on the schedule of accommodation. It is apparent that there are also a number of discrepancies in the table in relation to some detail, e.g.:

- Type AP\_1B: 1bed 2p: agg bed area 41.8sq.m
- Type AP\_1C: 1bed 2p: agg bed area 42.4sq.m
- Type AP\_2H: 2bed 4p: total bedspaces 5

The applicant is requested to provide an updates HQA which resolves any discrepancies.

c. The applicant is requested to set out how many apartments are single aspect (north). A clear justification and rationale should be provided for any single aspect north facing apartments.

*Applicant's response:*

*A and b - Updated HQA provided.*

*C – there are 4 single aspect north facing apartments. These are 1bed.*

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Assessment:

- a. It is noted that adequate amenity provision is made for each dwelling
- b. amended HQA noted
- c. in accordance with the apartment guidelines *“North facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature. Particular care is needed where windows are located on lower floors that may be overshadowed by adjoining buildings”*.

4 north facing single aspect apartments are proposed, facing the railway. It is noted that a strategic GI corridor is also proposed along the railway. There are areas of parking etc between the apartment and the open space, which also impact the outlook, particularly at ground floor. The applicant is requested to provide additional compensatory measures for the units in question, such as increased amenity areas and is also requested to remove the unit at ground level and amalgamate it with the adjacent unit. Given the site constraints it is not possible to have no single aspect north facing apartment, however, with the changes set out above, only 3 units would be single aspect north facing, representing approximately 4% of the apartment units and compensatory measures would be provided for the north facing units that remained.

A condition is recommended in the event of grant to address the above.

Item 3:

- a. The Roads Section has raised concerns regarding the road hierarchy, stating that Street 18 should be an intimate local street, rather than a local street. It is noted that there are no fixed building frontages on this street, nor are there any green infrastructure or other designations. It is noted that the element of this street within the current application provides parallel parking and could be an intimate local street, however, there is a concurrent application under SDZ22A/0018 which provides perpendicular parking and indicates a street width greater than 20m. The applicant is requested to provide a justification for the road typology in light of the overall road hierarchy within the CSW-S3 subsector.
- b. The applicant is requested to submit a complete report stating how ALL Road Safety Audit items were addressed in the submitted application.
- c. The applicant is requested to provide details of bin storage locations and also refuse service arrangements.
- d. The applicant is requested to submit a detailed AutoTRAK analysis for the following movements:
  - I. Emergency vehicle access to all locations within the site (large firefighting tender).
  - II. Refuse vehicles accessing all bin storage locations.
- e. The applicant is requested to provide additional information which:
  - I. details all (any additional) bicycle parking locations within the site.
  - II. demonstrates the proposed number of spaces meets the minimum CDP 2022-28 criteria.

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- III. demonstrates there is significant capacity within the proposed bicycle parking store to cater for the proposed number of 170.
- IV. acknowledges the proposal is in line with the National Cycle manual (2011).
- V. gives additional detail re the bicycle stand specification (i.e., Sheffield stands) proposed.

### *Applicant's response:*

- a. Movement diagram indicates 4 local streets and 3 intimate local streets north of Street 12, which matches the number of street types indicated on layout. Exact locations have been altered to suit the proposal, adjacent development, topography etc.*
- b. DBFL response sets out how each item of road safety has been addressed*
- c. Revised roads layout shows bin storage*
- d. vehicle tracking provided.*
- e. (i) additional visitor bike stands provided. (ii) CDP standard met (iii) some storage is 2 tier. Plans indicate adequate provision. (iv) all cycle infrastructure meets requirements of National Cycle Manual. (v) secure storage provided in the courtyards for the apartments. 2 tier system and Sheffield stands proposed. See details on plans.*

### Assessment:

- I. the report of the Roads Department states “*While the response is a departure from SDZ hierarchy, Roads find the rationale used to be satisfactory and that the proposal should not pose any issues from a Roads perspective.* The Planning Authority agree with this assessment.
- II. The report of the Roads Department states that the response is satisfactory.
- III. The report of the Roads Department states that the response is satisfactory.
- IV. The report of the Roads Department states that the response is satisfactory.
- V. The report of the Roads Department states that the response is satisfactory.

### Item 4:

- a. The applicant is requested to provide the following information / amendments in relation to the streets:
  - Street 12: There are concerns regarding the design of the area to the south of the apartment block (Block 1), which does not provide parking nor does it provide a min. 2.5m wide footpath (only 2m is provided at this location).
  - Street 13: There are concerns regarding the design of the area to the north of the apartment block (Block 1), which does not provide parking nor does it provide a min. 2.5m wide footpath (only 2m is provided at this location).
  - Street 14: Footpath is only 2m wide and should be increased to 2.5m. An area of open space is identified at this location within the Scheme and it is also identified as a strategic green corridor. It is noted that there are significant levels of parking along this street, which are necessary for the apartments. In light of the GI designations in this area, the applicant is requested to provide for a Homezone along Street 14, along the north of the apartments to meet Street 15. There should be a significant increase in the level of planning and GI in this area also.



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- Street 15: Appears that carriageway may be 5m. Applicant requested to indicate a width of no greater than 4.8m.
- Street 16: Footpath reduces to 2m in part. 2.5m required.
- Street 17: Noted frontage 21.05m – this should be reduced to 20m. Footpath is 2m, should be 2.5m. Appears that carriageway may be 5m. Applicant requested to indicate a width of no greater than 4.8m.
- Street 18: Generally, meets indicative local street A (when considered with information provided on adjacent application). Scheme requires intimate local street at this location and the applicant is requested to provide a rationale for their approach.

Where perpendicular parking is proposed, the applicant is requested to indicate that there is 6m reversing space. The applicant is requested to provide a plan setting out the dimensions of all street widths, in compliance with the scheme, and all foot paths, carriageways and parking bays.

b. Drawing PL008 sets out the following:

- Apartment parking – 50 spaces – 30%
- House parking – on curtilage – 60 spaces – 35%
- House parking – off curtilage 60 spaces – 35%

The design statement states that 38% of car parking is on curtilage. The applicant is requested to provide a plan indicating which spaces are on curtilage and which are off curtilage.

*Applicant's response:*

a.

*Street 12 – footpath now 2.5m. parking not possible due to levels*

*Street 13 – footpath now 2.5m. parking not possible due to levels*

*Street 14 – footpath now 2.5m and has been altered to include a Homezone. Additional planting provided to tie in with the wider north south strategic corridor.*

*Street 15 – carriageway now 4.8m*

*Street 16 – footpaths now 2.5m*

*Street 17 – footpaths now 2.5m and carriageway now 4.8m*

*Street 18 – see response to item 3(a)*

*Min 6m behind all perpendicular spaces*

*b. 31% on curtilage and 69% off curtilage*

Assessment:

- a. constraints on parking provision noted. Otherwise, changes are welcomed.
- b. on and off curtilage percentages noted. The information submitted is acceptable.

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#### Item 5:

- a. There is concern regarding the interface between the proposed apartment block and the roadway / bridge to the west. Further consideration of this matter is required. The applicant is requested to provide further cross sections to include the bridge and also provide more detail regarding the impact of the bridge on the amenity area to the west of the apartment block. The applicant is requested to provide details of how any retaining features may be incorporated into the adjacent open space.
- b. The applicant is requested to set out how the proposed bridge has been taken into consideration in the sunlight and daylight assessment. A 'worst case' scenario should be utilised to ensure the impacts on future development are fully assessed
- c. The proposals fall short of the scheme's requirement for a fine urban grain in identified locations and it is considered that this requirement provides an opportunity for greater diversity and architectural interest. The applicant is requested to develop further design alternatives and make revisions to meet this provision of the scheme. It should be noted that the Building Height concept envisaged a 3-4 storey height fronting the park.
- d. The applicant is requested to provide details of boundary treatment.
- e. The applicant is requested to provide details of any solar panels proposed.
- f. The proposed quantum of render on the apartment block is considered to be excessive and would be likely to visually deteriorate over time. The applicant is requested to omit these elements.

#### *Applicant's response:*

- a. Distance from the bridge, orientation and soft landscaping will have a positive impact on future residents. Approx 20m between apartment and bridge.*
- b. original analysis did allow for appropriate massing of the apartment block. There would be no material change in sunlight performance.*
- c. Further assessment of urban grain undertaken.*
- d. See landscape masterplan and boundary treatment plan.*
- e. Solar panels proposed on apartment block. For house types solar panels are shown on rear elevations.*
- f. Render on main facades of Block 1 have been significantly reduced.*

#### Assessment:

- a. The distance between the apartments and the bridge is appropriate and the revised daylight and sunlight assessment has established that the amenity of the apartments would not be significantly impacted by the delivery of the planned road infrastructure. That being said, it is noted the design of the bridge and therefore the required land take has not been finalised. In particular, it is noted that the applicant has not allowed for the embankment, which if required would result in a significantly greater land take. Accordingly, it is considered that more information is required to demonstrate the feasibility of the bridge delivery and the relationship with the proposed apartment development.

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The applicant has set out within the submission, that as far as possible, the design put forward for the bridge incorporates the most recent design progression. Unfortunately, the design is not finalised and while the design put forward by the applicant may represent the final design, this cannot be definitively stated at this point.

In addition to this, it is noted that significant concerns have been raised in relation to the loss of the existing hedgerow and the redesign of the parking area is required for this to be delivered. It is considered that a planning condition should be included to resolve this issue prior to the commencement of the development of the apartment building element.

- b. The results of the assessment are noted and considered acceptable.
- c. The proposed fine urban grain dwellings are predominantly greater than 2 storey and considered acceptable in this instance.
- d. boundary treatments noted and considered acceptable
- e. The solar panel locations are noted.
- f. The reduction in render is considered acceptable.

### Item 6:

It is unclear how surface water attenuation is within requirements of predesigned attenuation limits for Clonburris. The applicant is requested to:

- a. Submit a report and drawing to show what attenuation was agreed for the site proposed and what attenuation is provided for the site proposed.
- b. Submit a report to show a comparison of calculations used for proposed site with calculations used in a pre-design stage of attenuation for Clonburris Site.
- c. Submit up to date surface water drawings. Show how surface water layout drawings compare to drawings at pre designed stage of Clonburris Site.
- d. Submit a report and drawing showing surface water drawings of attenuation and layout both at pre design stage and for proposed site. Outline the discharge rates proposed now and compare to pre design discharge rates for Clonburris.
- e. Include SuDS (Sustainable Drainage Systems) in proposed development such as a Green Roof, Swales, permeable paving and other such SuDS. Examples of SuDS can be found in the SDCC SuDS Guide at: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#)
- f. Contact water services in SDCC to discuss above issues before resubmitting additional information required.

*Applicant's response:*

*See infrastructure design report. See drawings.*

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Assessment:

Water Services has raised no objections, subject to conditions.

The Parks Department has recommended Clarification of Additional Information in relation to SuDS; however, it is considered acceptable to condition additional SuDS in this instance.

Item 7:

a. The applicant is requested to provide a redesigned proposals that demonstrate:

- i. A Strategic Green Corridor along the northern boundary of the site adjacent to the Dublin-Cork Railway. Tree protection measures should include full extent of scrub thicket.
- ii. A Strategic Green Corridor approximately N-S along the western boundary incorporating and strengthening the existing hedgerow within the Strategic Open Space.

b. The Clonburris SDZ strategy requires a green infrastructure-based approach to drainage and stormwater management. SuDS are to be designed as an ecological resource designed into the street, public squares and open space network. These shall be of a high quality, designed as a series of 'wet' and 'dry' landscape elements to achieve a multifunctional space for amenity, biodiversity, and surface water management.

The applicant is advised SUDs should be designed in accordance with SDCC Sustainable Drainage Explanatory Design and Evaluation Guide 2022. Further use of swales and natural SUDs requested. Additional details are requested including details of filter strips. The applicant is requested to provide road edge detail showing how water accesses the swales/tree pits and bioretention areas. Further information required on Tree pits is requested. The applicant is requested to demonstrate amenity and biodiversity value of Suds measures. Contact Public Realm Section to agree details prior to resubmitting.

c. the applicant is requested to provide a revised detailed landscape plan, to be agreed with Public Realm, with full works specification, that accords with the specifications and requirements of Council's Public Realm Section. The revised landscape plan shall integrate retained and enhanced hedgerows and trees, tree planting and SuDS drainage to provide strong green infrastructure links throughout the development in accordance with Clonburris SDZ Planning Scheme, Parks and Landscape Strategy, Biodiversity Management Plan and SDCC County Development Plan (2022-2028).

The applicant is requested to incorporate the following in the revised Landscape Proposals:

- i. Details of all natural SuDS features including swales, rain gardens, bioretention areas, tree pits, channel rills, kerbing, filter strips, ponds, detention basins, wetlands etc.
- ii. Revised tree and hedgerow protection measures: show extent and position of tree and hedgerow protection fences including retention of Hedge 8.
- iii. Woodland planting should use the Miyawaki technique (3-5/m<sup>2</sup>) in order to establish quickly and reduce maintenance costs. This will require an establishment period and maintenance of 5 years for newly planted woodland areas prior to taking in charge.

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- iv. All playspace surfacing to be engineered woodchip surfacing.
- v. Details of all play items and natural play features to be provided and agreed with SDCC Public Realm Section. Play areas must be universally accessible.
- vi. Landscape Proposals to reflect the requirements of additional information items 1 and 2 above to deliver the required green infrastructure.

### *Applicant's response:*

- a. The applicant states that maintaining hedgerow 8 is not feasible due to the future bridge and road / pedestrian / cycle connections. The provision of the bridge and the requirement to provide access to the block along the eastern frontage means that the retention of the hedge is not feasible. The constraints of the bridge were not fully appreciated in the concept for the north south strategic corridor. These constraints are localised and north south corridor will be achieved through SDZ21A/0022. Protecting fragments would be futile and efforts would be better spent replanting hedgerow.*
- b. Additional SuDS incorporated. If more detail required, an updated landscape plan can be provided prior to commencement.*
- c. If more detail required, an updated landscape plan can be provided prior to commencement. See landscape planting strategy and boundary treatment plan.*

### Assessment:

The Parks Department has concerns regarding the lack of north south strategic corridor, the loss of hedgerow 8, the lack of SuDS and play areas.

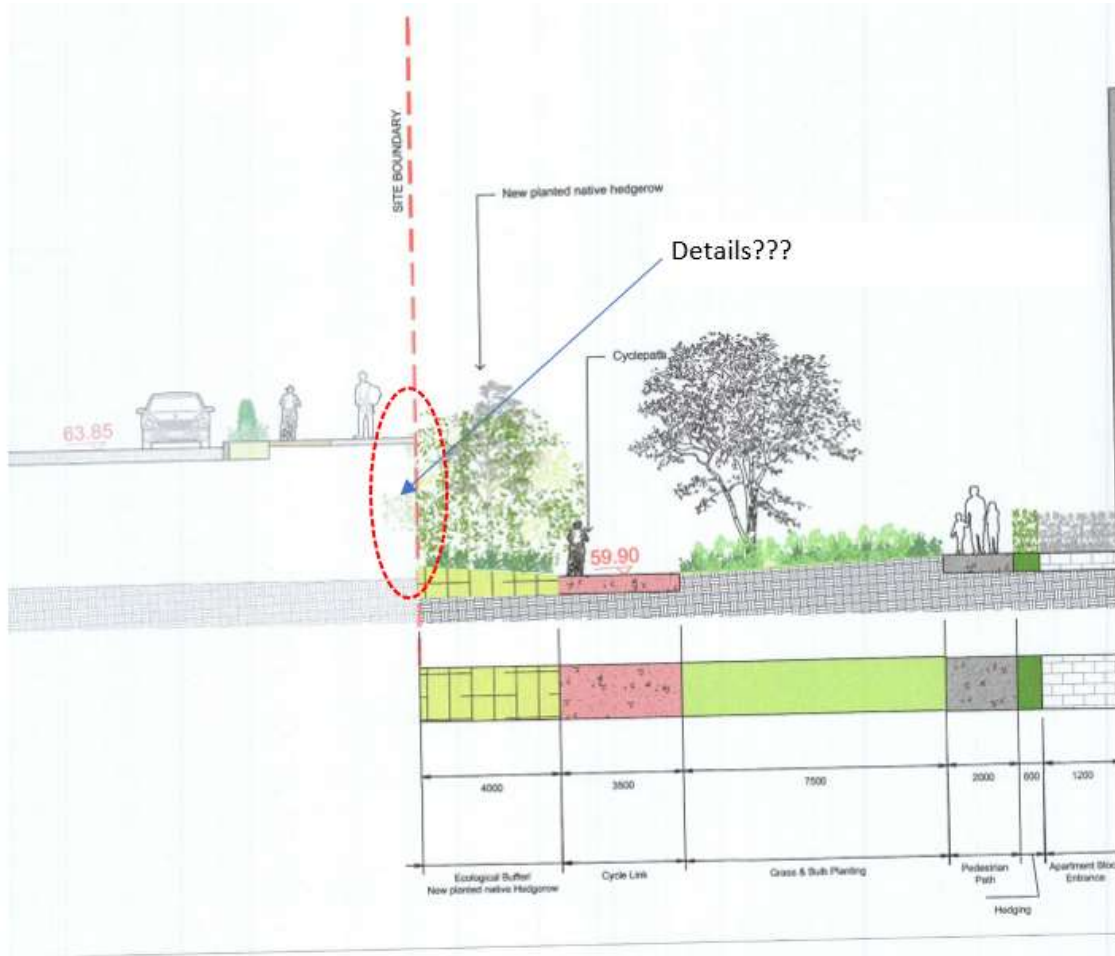
The following comments have been made by the Parks Department:

- 1. *“Insufficient Information on how this development impacts on the provision of the Strategic Green Link and bridge over the railway line. There is insufficient information to show how this development will link to the bridge or what happens to the cycle path running along the northern boundary. It may restrict the development of that link. There is no retaining wall or any details to show that what is proposed is even possible. There is no retaining wall or other structure to support the roadway and this development could not be built as proposed in this application.*

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*Strategic Green corridor should extend 20m from site boundary into site*

2. *Fragmentation of Strategic Green Infrastructure corridor (GI): The proposals are not compliant with Clonburris SDZ in relation to the green infrastructure links that are required as part of the scheme.*

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*The proposals remove existing Green Infrastructure that should be protected and enhanced. It also fails to provide the strategic green corridors as proposed in the SDZ.*



*A redesign of the*

*development is required to protect and enhance the existing Green Infrastructure along the western boundary of the site and develop the site as intended in the SDZ. This will require removing the road and parking from the Strategic Green corridor.*

*The plan submitted as part of the Additional Information deliberately and incorrectly excluded the Strategic Green Infrastructure corridor from within the redline boundary of the site. The SDZ Green Infrastructure map clearly shows the Strategic GI corridor within the site and removing this element is non-negotiable or the entire corridor is fragmented, and it negates the good work done on adjoining sites.*

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Corridor shown fully outside site.



Actual corridor location as per SDZ map

3. *Impact on existing hedgerows and biodiversity: Hedge 8 is specifically identified to be retained as part of the SDZ. As one of very few hedgerows proposed to be retained in Clonburris removal would set a very dangerous precedent.*
4. *Public Open Space requirement. A new strategic open space identified in the SDZ has not been provided. A road, parking and ramps are currently proposed in this area. This space is required to create the Strategic Green Corridor through Clonburris and fragmentation would weaken the entire Green Infrastructure network in Clonburris.*

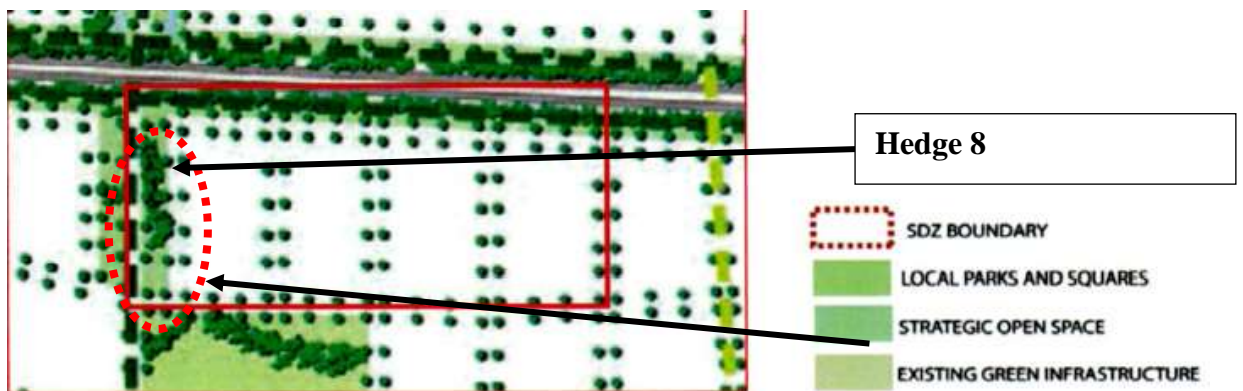


Figure 3 : Green infrastructure: Clonburris SDZ Planning Scheme 2019



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5. *Natural Sustainable Drainage Systems (SuDS) Limited Information has been provided. Details required showing how water flows from roads into SUDs features (swales/tree pits/bioretention areas). Further information is required on the Tree pits to demonstrate how the roots get into the soil and avoid girdling. Use of natural SUDs should be extended particularly with the use of swales and other features to improve amenity and biodiversity e.g., along the western boundary.*
6. *Play A greater level of play provision is required than what is proposed. Play seems limited to a few balancing poles. The concept of using natural play is acceptable however we require further detail on this. All play areas to be universally accessible.*

Clarification of additional information is requested; however, it is considered that the necessary information can be secured via condition.

The Roads Department has confirmed that the removal of parking to the west of the apartment Block would be acceptable, giving a rate of 0.4 for the apartments, which is in accordance with the Scheme. The applicant is therefore requested to:

- Remove 18 car parking spaces to the west (the disabled spaces should be relocated and the overall on / off curtilage ratio should be in accordance with the Scheme.
- Retain 'Hedge 8'
- Introduce a strategic open space to the west of the apartments.
- Appropriate provision for cycling and pedestrian access to the west of the apartments and connecting further west should be made.

A condition is recommended in the event of grant.

Item 8:

The applicant is requested to provide an Archaeological Assessment as follows:

- a. The applicant's archaeologist is required to submit a Preliminary Report on the excavations to have already been carried out under Licence No. 22E0719 with the Department.
- b. The applicant is required to engage the services of a suitably qualified Archaeologist to carry out the Archaeological Impact Assessment (AIA) which should include a programme of Archaeological Test Excavation (as an extension to Licence No. 22E0719) to respond to this request for Further Information. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.
- c. The archaeologist shall inspect the proposed development site (PDS) and detail the historical and archaeological background of the site and the boundary walls (consulting appropriate documentary sources) and review all cartographic sources and aerial photographs for the area.
- d. The Archaeological Test Excavation must be carried out under licence from this Department and in accordance with an approved method statement; note a period of 5-6 weeks should be allowed to facilitate processing and approval of the licence application and method statement.

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e. Test trenches shall be excavated at locations chosen by the archaeologist, having consulted the site drawings. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall stop works pending further advice from this Department. Please note that all features/archaeological surfaces within the test trenches are to be hand-cleaned and clearly visible for photographic purposes. f. Having completed the work; the archaeologist shall submit a written report to this Department and the Local Authority describing the findings of the AIA and the results of the Archaeological Test Excavation. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc

g. Where archaeological material is shown to be present, further mitigation measures will be required; these may include refusal, redesign to allow for preservation in situ, excavation and/or monitoring as deemed appropriate. This Department will advise the Local Authority with regard to these matters. No decision should be made on this application until this Department and the Local Authority have had the opportunity to fully evaluate the findings of the AIA.

*Applicant's response:*

*The applicant has submitted an archaeological assessment, prepared by IAC Archaeology.*

Assessment:

The Department has raised no objections, subject to conditions.

### **Other Considerations**

#### ***Development Contributions***

- A number of changes may result following conditions, therefore a general development contributions condition is recommended.

### **SEA Monitoring**

Building Use Type Proposed: dwellings

Floor Area: may alter following compliance

Land Type: Greenfield

Site Area: 3.45ha

# **Comhairle Chontae Atha Cliath Theas**

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### **Conclusion**

Overall, the Planning Authority welcomes the planning proposal for this strategic site in the County. The Planning Authority considers that the proposed development has addressed a lot of the requirements of the Planning Scheme and the FI has provided appropriate amendments in most instances. However, conditions are recommended regarding certain issues, such as the interface between the apartments and the future bridge and provision of strategic open space / GI to the west. Subject to these conditions, it is considered that the proposed development is in keeping with the Clonburris Planning Scheme 2019 and the sustainable planning and development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 19 April 2023 a, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Amendments.  
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:  
Unless otherwise agreed revised plans that incorporate all of the following amendments-  
(a) The ground floor single aspect north facing apartment shall be amalgamated with the adjacent apartment. All upper floor north facing single aspect apartments shall be redesigned to provide additional private amenity space.

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An updated Schedule of Accommodation, HQA and Schedule of Areas shall be provided.  
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

3. Mitigation Measures.

All mitigation measures set out in the documentation submitted in support of the application, including in particular those set out in the Archaeological Assessment, Ecological Impact Assessment, Bat Assessment, Energy Statement and Building Life Cycle Report shall be implemented in full.

REASON: In the interest of the protection of the environment.

4. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

5. Occupation subject to service connection.

No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

REASON: In the interest of the proper planning and sustainable development of the area.

6. Street Naming and Dwelling Numbering.

Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme.

The agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Planning Authority's requirements. The development name should:

1. Avoid any duplication within the county of existing names, and

2. Reflect the local and historical context of the approved development, and

3. Comply with;

(a) Development Plan policy, and

(b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and

(c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún

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Logainmneacha) and

(d) Preferably make exclusive use of the Irish language.

Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site.

The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.

REASON: In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.

### 7. Council Housing Strategy.

That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997:

(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2022-2028, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and

(ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

### 8. Management Company.

A. Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority:

(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;

(ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead

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be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority:

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

### 9. Prevention of Spillage or Deposit of Debris on Adjoining Public Roads During Construction Works.

Prior to the commencement development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

(i) a site specific plan making provision as set out below for the prevention of spillage or deposit of clay, rubble or other debris on adjoining public roads during the course of any construction works that fully complies with all of the requirements of the Council's Roads Maintenance, Traffic Management, and Waste Enforcement Sections as appropriate, The agreed plan shall provide for all of the following:

(a) The agreed number, location, type and use of suitable facilities for vehicle cleansing and wheel washing provided on site to contain all clay, rubble or other debris within the site prior to commencing of construction, such facilities to be maintained in a satisfactorily operational condition during all periods of construction.

(b) Location of all on-site car parking facilities provided for site workers during the course of all construction activity.

(c) Provision for dust suppression measures in periods of extended dry weather.

(d) Provision for the flexible use of a road sweeper if an acute situation on the adjoining public road requires it.

(e) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.

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(f) Storage of construction materials is not permitted on any public road or footpath, unless agreed in writing with the Planning Authority, having regard to the prior reasonable justification and circumstances of any such storage.

REASON: In the interest of protecting the amenities of the area and in the interest of public safety and the sustainable maintenance of adjoining roads and footpaths.

### **10. Public Realm Facilities for Charging Electric Vehicles.**

Prior to the commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

- (i) a revised site layout plan clearly setting out full details of the location of all proposed facilities and equipment in the public realm (whether to be offered for taking in charge or not) for charging electric vehicles, including details of the overall height, design, colour and all safety features of such equipment including isolation of power supply, and measures to provide for suitable pedestrian safety, along with completed Electrical designs to serve the development as approved prepared by competent electrical design consultants all of which have been agreed with the Council's Roads Section, and
- (ii) Agreed arrangements for the operation and management of such facilities for charging electric vehicles, along with:

All facilities for charging electric vehicles should be clearly marked as being designated for Electric Vehicle charging. Appropriate signage clearly indicating the presence of a Charge Point or Points should also be erected. All Charge Points fitted in publicly accessible areas should be capable of communicating usage data with the National Charge Point Management System and use the latest version of the Open Charge Point Protocol (OCCP). The facilities for charging electric vehicles should also support a user identification system such as Radio Frequency Identification (RFID).

REASON: In the interests of the proper planning and sustainable development of the area, to provide for improved urban air quality, reduced noise pollution and to support the transition to a low carbon future.

### **11. SuDS.**

a. Prior to commencement of development, the applicant shall submit a drawing and report to show what the discharge rate in litres/second is from proposed site. The applicant shall show how and where discharge rate of surface water is proposed for the development.

b. Prior to commencement of development, the applicant shall submit a revised drawing showing the surface water layout that includes the location and method of discharge rate from proposed site. Show what the discharge rate for proposed site is. The applicant shall show on the drawing what surface water attenuation is provided in m<sup>3</sup> and where surface water attenuation is provided.

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c. Prior to the commencement of development, the applicant shall provide a revised layout / landscaping plan that indicated additional e SuDS (Sustainable Drainage Systems) in proposed development such as a Green Roof, Swales, permeable paving and other such SuDS. Examples of SuDS can be found in the SDCC SuDS Guide at: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#). The applicant shall provide additional details including details of filter strips, road edge detail showing how water accesses the swales/tree pits and bioretention areas, further detail on Tree pits. The applicant shall also demonstrate the amenity and biodiversity value of SuDS measures.

d. The applicant shall contact water services and the Public Realm Department in SDCC to discuss above issues before resubmitting above documents and drawing.

**REASON:** In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

### 12. Retention of Landscape Architect

i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.

ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.

i) Installation of attenuation tree pits shall be supervised by the project landscape architect.

**REASON:** In the interests of residential and visual amenity, climate action and to ensure full and verifiable implementation of the approved landscape design.

### 13. Landscape Plan/Planting Plan.

A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall have lodged a revised detailed landscape plan with the Planning Authority:

This shall integrate retained and enhanced hedgerows and trees, tree planting and SuDS drainage to provide strong green infrastructure links throughout the development in accordance with Clonburris SDZ Planning Scheme, Parks and Landscape Strategy, Biodiversity Management Plan and SDCC County Development Plan (2022-2028).

The revised Landscape Proposals shall incorporate:

i. Details of all natural SuDS features including swales, rain gardens, bioretention areas, tree pits, kerbing, filter strips to be provided as requested.

ii. Revised tree and hedgerow protection measures: show extent and position of tree and hedgerow protection fences including retention of Hedge 8.



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iii. Planting on green corridors should use the Miyawaki technique (3-5/m<sup>2</sup>) in order to establish quickly and reduce maintenance costs. This will require an establishment period and maintenance of 5 years for newly planted woodland areas prior to taking in charge.

iv. All playspace surfacing in Public Open Space areas to be engineered woodchip surfacing.

v. Details of all play items and natural play features to be provided and agreed with SDCC Public Realm Section. Play areas must be universally accessible.

Landscape Proposals shall reflect any alterations required by other conditions to deliver the required green infrastructure

REASON: To ensure satisfactory landscape treatment of the site.

### **14. Implementation of Landscape Plans**

The Landscape Plans once agreed, shall be implemented in full, within the first planting season following completion of the development (completion of construction works on site) and prior to occupation of the new dwellings.

a) All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.

b) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS: 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012. Trees in Relation to Design, Demolition and Construction – Recommendations.

d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in the interests of biodiversity, amenity and climate action and in accordance with the relevant green infrastructure, landscape and environmental policies and objectives contained of the CDP.

### **15. Construction Consultation and Local Liaison**

(a) Prior to the commencement of development, the applicant/owner shall submit the following to the Planning Authority:

(i) the names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the construction of the development as approved. Subsequently all changes in these personnel or particulars in the course of construction must also be notified to the Council as soon as they occur.

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(b) The applicant/owner or developer shall provide occupiers of noise sensitive properties within 100 metres of agreed construction access points to the development as approved with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident that could give rise to a disruptive aspect of construction activity, or otherwise to make an observation in respect of an aspect of construction activity.

(c) A public notice shall be erected and maintained at the agreed construction access points. This notice shall contain the name of the operating company and contact details, including out of hours contact, which may be used in the event that any person wishes to contact the operator in respect of any disruptive aspect of construction activity.

REASON: In the interests of amenity, public health and safety, the avoidance of unnecessary disruptive aspect of construction activity and the proper planning and sustainable development of the area.

### 16. Drainage.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

### 17. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

### 18. Restriction on Use and Occupancy.

Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, without a specific grant of planning permission for same (including short-term letting).

REASON: To prevent unauthorised development.

### 19. Materials and Finishes

Prior to the commencement of development the applicant/developer shall submit materials and finishes of the development for the written agreement of the Planning Authority.

REASON: in the interests of visual amenity.

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### 20. Roads

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, unless otherwise agreed:

- (a) a developed Construction & Demolition Waste Management Plan (C&DWMP)
- (b) a developed Construction Traffic Management Plan

REASON: In the interest of road, pedestrian and cyclist safety, residential amenity and compliance with Clonburris SDZ Planning Scheme.

### 21. Environmental Health

1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

2. Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.

3. During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.

4. A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

5. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).

6. Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

7. Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

8. The applicant shall put in place a pest control contract for the site for the duration of the construction works.

9. Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

REASON: In the interests of environmental health.

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22. Aviation.

Given the proximity to Casement Aerodrome, operation of cranes shall be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at [airspaceandobstacles@defenceforces.ie](mailto:airspaceandobstacles@defenceforces.ie) or 01-4037681

Due to the proximity to Casement Aerodrome, the developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

Given the proximity to Casement Aerodrome this area may be subject to a high level of noise from aircraft operating in the vicinity of the aerodrome.

Given the proximity of the development to Casement Aerodrome, should negative effects become apparent on air or ATC operations as a result of the photovoltaic cells, then the owner shall take measures necessary to mitigate these effects to an acceptable level, without delay.

REASON: In the interests of aviation safety and protecting the amenities of the area.

23. Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

REASON: In the interest of proper planning and sustainable development.

24. Regulation of Institutional Investment in Housing - Houses and/or duplex unit-type development.

(a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each housing unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all residential units permitted to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

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(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified residential units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land, that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

### 25. Phasing.

Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority a detailed phasing programme for the approved development that fully accords with the requirements of the Planning Authority.

REASON: To ensure the orderly implementation and proper planning and sustainable development.

### 26. Archaeology.

1. The developer shall engage a suitably qualified archaeologist to monitor (as an extension of Licence No. 22E0719 under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks and/or dredging within the development site. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

2. An updated Method Statement for the licensed archaeological monitoring, to be approved by this Department, will include methodology for the preservation by record of features that were discovered during testing under Licence No. 22E0719.

3. Should additional archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with this Department, regarding appropriate mitigation [preservation in-situ/excavation].

4. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with this Department, shall be complied with by the developer.

5. Following the completion of all archaeological work on site and any necessary post excavation specialist analysis, the planning authority and this Department shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

REASON: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

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### 27. SDZ Phasing.

Prior to the commencement of development, or as otherwise agreed in writing with the Planning Authority, the developer/landowner shall submit the following for written agreement of the Planning Authority;

(a) The total no. of units permitted and the designation of these units to a phase(s) of the Planning Scheme,

(b) Subject to (a), occupation of units cannot proceed until the minimum delivery in the relevant preceding phase as per Table 4.3 Phasing Table (or as otherwise amended by the Development Agency) in the Planning Scheme is agreed in writing by the Planning Authority as delivered or otherwise agreed in writing with the Planning Authority having regard to the Planning Scheme.

(c) The designation in part a) shall provide cumulative details for the occupied units in the SDZ per Phase including written agreement of relevant landowners in the SDZ or landowner representative to the designation proposed;

REASON: To ensure the orderly implementation and proper planning and sustainable development of the Planning Scheme for Clonburriss.

### 28. Cash Deposit/Bond

Prior to the commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanala for determination.

REASON: To ensure the satisfactory completion and maintenance of the development until taken in charge.

### 29. Financial Contribution

The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting in the area of the Planning Authority that is provided or intended to be provided by or on behalf of the Authority in accordance with the terms of the Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanala to determine the proper application of the terms of the Scheme.

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REASON: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Contribution Scheme made under section 48 of the Act be applied to the permission.

### **30. Kildare Route Financial Contribution**

The developer shall pay to the Planning Authority a supplementary development contribution pursuant to the provisions of Section 49 Planning & Development Act 2000, as amended, towards the expenditure incurred in the provision of the Kildare Route Project which facilitates this development. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a Supplementary Contribution be made in respect of the upgrade of the Irish Rail, Kildare Route Project.

### **31. Condition:**

A. Prior to the commencement of the development on the apartment building located in the west of the application site, the applicant shall demonstrate the following, unless otherwise agreed in writing;

- i. The feasibility of the bridge and the requirement for and extent of an associated embankment;
- ii. Retention of the existing hedgerow;
- iii. Removal/ Relocation of the car parking within the area to the west of the apartment block, ensuring a parking ratio of approx. 0.4 is maintained for the apartments and the overall on / off curtilage parking requirement is in accordance with the scheme. Revised layout / landscaping plans should be provided if necessary;
- iv. Should an embankment be required, demonstration that the revisions would not impact on the daylight and sunlight of the consented apartments;

B. Should the applicant fail to demonstrate full compliance with Part A above, the apartment block and associated infrastructure and open space shall be omitted.

REASON: To ensure that the proposed development would not prejudice the delivery of key infrastructure with the Clonburr Strategic Development Zone area and ensures the protection of the existing Ecological Infrastructure.

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32. Prior to the commencement of the development on the apartment building located in the west of the application site, and unless otherwise agreed in writing, the developer shall engage with Planning Authority in relation to the provision of ducting within the apartment building scheme that shall be capable of connecting directly into any shared duct network provided by the South Dublin County Council or associated body. Where required, details of this connection shall be provided to and agreed in advance of the construction of the ducting network within the site area.

**REASON:** To ensure the orderly implementation and proper planning and sustainable development.



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**REG. REF. SDZ22A/0017**

**LOCATION: Within the townland of Cappagh, Clonburris, Dublin 22**

  
\_\_\_\_\_  
**Colm Harte,**  
**Senior Executive Planner**

  
\_\_\_\_\_  
**Gormla O'Corrain,**  
**Senior Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:** 16 May 2023

  
\_\_\_\_\_  
**Mick Mulhern, Director of Land**  
**Use, Planning & Transportation**